LOS ANGELES COUNTY
SHERIFF'S DEPARTMENT

Executive Force Review

Leadership and Training Division
Response Team Incident Summary

EFR Scheduled: 9/24/09.

EFRC Received: 04/03/09.

Incident Date: 12/07/08

DA Letter Date: N/A

One Year Date: 12/06/09

Station/Unit: TTCF

Investigator: STINSON / KUSCH.

FILE # FD2233614 USE OF FORCE TTCF

CONFIDENTIAL

761551N25A - SH-AD-32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: September 30, 2009

OFFICE CORRESPONDENCE FILE NO. FO2233614

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: ANTHONY WARD, CAPTAIN
TWIN TOWERS CORRECTIONAL FACILITY

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on December 7, 2009.

The Committee met on September 24, 2009, and consisted of me, Commander Stephen B. Johnson, Custody Operations Division, and Commander Daryl Evans, Technical Services Division. The Committee determined the use of force by Deputy Antonio Del Rio [redacted] Deputy [redacted], Deputy [redacted], and Deputy [redacted] was within Department policy.

Please advise the deputies of this finding.

EBS:YLW/ylw

UNIT COMMANDER RESPONSE

1. Complete the form including the following signatures:
   a. All involved personnel
   b. Supervisors who advised involved deputies of these findings
   c. Unit Commander
2. If training was ordered for involved personnel, see "Training Attended" section.
3. Return this form to the Executive Force Review Committee sergeant at IAB.

Incident Date:	12/07/08	**Action Taken by Unit** *(briefing, counseling, training, etc.)*
Unit:	TTCF	
Incident:	Use of Force	
File #:	FO2233614	
EFRC Date:	09/24/09	

The results of the Executive Force Review Committee's review of the above listed case was discussed with me.

Signature	Print Name	Date	Supervisor's Signature
[redacted]	[redacted]	10/7/09	LT. [signature]
[signature]	DEL RIO, ANTONIO	10/20/09	LT. [signature]
[redacted]	[redacted]	10/20/09	LT. [signature]

Unit Commander's Signature: [signature] Ward **Date:** 10-20-09

UNIT COMMANDER RESPONSE

1. **Complete the form including the following signatures:**
   a. **All involved personnel**
   b. **Supervisors who advised involved deputies of these findings**
   c. **Unit Commander**
2. **If training was ordered for involved personnel, see "Training Attended" section.**
3. **Return this form to the Executive Force Review Committee sergeant at IAB.**

		Action Taken by Unit *(briefing, counseling, training, etc.)*
Incident Date:	12/07/08	
Unit:	TTCF	Deputy [redacted] was involved in a use-of-force incident at TTCF which occurred on December 7, 2008. The Executive Force Review Committee determined the use of force by Deputy [redacted] was within Department policy.
Incident:	Use of Force	
File #:	FO2233614	[redacted] The employee will be advised upon his return to LASD work.
EFRC Date:	09/24/09	

The results of the Executive Force Review Committee's review of the above listed case was discussed with me.

Employee Deployed	[redacted]	10/23/09	A/Capt. Darrell B. Bolin
Signature	*Print Name*	*Date*	*Supervisor's Signature*

Unit Commander's Signature:	Acting Captain Darrell B. Bolin	**Date:**	10/23/09

Findings

and

Recommendations

761551N25A - SH-AD-32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: September 29, 2009

OFFICE CORRESPONDENCE FILE NO. FO2233614

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
DEPUTY ANTONIO DEL RIO [redacted]
DEPUTY [redacted]
DEPUTY [redacted]
DEPUTY [redacted]
TWIN TOWERS CORRECTIONAL FACILITY

On December 7, 2008, Deputy Antonio Del Rio struck Inmate Ramiro Valdivia twice in the head with his flashlight during a fight when Inmate Valdivia tried to bite his thigh and testicles.

Deputy Antonio Del Rio and Deputy [redacted] conducted a cell search in Cell 8, within B-Pod of Module 242 in the Twin Towers Correctional Facility. The deputies searched for homemade alcohol, known as "pruno." After the search was completed, Inmate Valdivia's cellmate, Inmate [redacted] was unhandcuffed and returned to Cell 8. He was ordered onto his upper bunk and complied.

Inmate Valdivia was unhandcuffed and told to go to his lower bunk. However, as soon as one hand was unhandcuffed, he quickly turned and punched Deputy Del Rio's upper left chest area. Inmate Valdivia tried to swing again and Deputy Del Rio pushed him away. Inmate Valdivia approached Deputy Del Rio again and tried to punch him. Deputy Del Rio fought back, striking Inmate Valdivia with his right fist. Deputy [redacted] hit Inmate Valdivia's face with his fist as well. Deputy Del Rio then grabbed Inmate Valdivia in a headlock, trying to control him. He and Inmate Valdivia fell to the floor inside the cell.

At this point, Inmate Valdivia was on top of Deputy Del Rio and Inmate Valdivia's head was just below Deputy Del Rio's waistline. Deputy Del Rio felt Inmate Valdivia's teeth on his thigh, moving upward toward his testicles. Fearing serious injury to himself, Deputy Del Rio used his flashlight and tried to strike Inmate Valdivia on his shoulder to cause him to stop biting. The flashlight strike hit Inmate Valdivia's head, but Inmate Valdivia continued to try and bite him. Deputy Del Rio struck again, aiming for Inmate Valdivia's shoulder blade, but he struck the back of Inmate Valdivia's head.

Deputy [redacted] arrived to assist and grabbed Inmate Valdivia's legs. Senior Deputy [redacted] arrived and assisted. He struck Inmate Valdivia's lower back and side four times in an attempt to get him to stop fighting. Inmate Valdivia stopped struggling and Deputy [redacted] was able to handcuff him. Deputy [redacted] and Deputy [redacted] lifted Inmate Valdivia off Deputy Del Rio and escorted him out of the cell. Inmate Valdivia was taken to the Tower Two clinic, where he refused medical attention. The medical staff ordered that Inmate Valdivia be taken to the Los Angeles County-University of Southern California Medical Center where he was treated for head contusions.

On September 24, 2009, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force, MPP § 3-01/025.30, Use of Firearms and Deadly Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Antonio Del Rio [redacted] was reasonable and necessary and in compliance with Department policy.

[redacted]

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by all personnel in this incident were within Department Policy.

Eric B. Smith, Commander

EBS:YLW/ylw

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Department Notification Date: December 7, 2008
One Year Statutory Date: December 6, 2009

F0 #2233614

INTERNAL AFFAIRS BUREAU INVESTIGATIVE REPORT

CONFIDENTIAL

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FO#2233614

SUPERVISOR'S USE OF FORCE FORM

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 008-01817-5800-145	Date: 12/7/08		Time: 2220 hrs.
Location: 450 Bauchet Street		City or Station: Los Angeles 90012	
Bureau/Station/Facility: Twin Towers Correctional Facility		Admin. Investigation: YES ☐ NO ☒	
Type of Force: Flashlight strikes to head and torso, punches to face			
Deputy Injury: YES ☒ NO ☐	Suspect Injury YES ☒ NO ☐		
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Rod Kusch	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee #: [redacted]	Last Name: Del Rio	First Name: Antonio	Middle Name: J..
Sex: ☒ Male ☐ Female	Race: Hispanic	Unit of Assignment: Twin Towers Correctional Facility	Work Assignment (Unit #, Module, etc.): 241 F/2
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: 24	Height: 5-06 / Weight: 165
☒ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #:	Directed Force ☐ Significant Force ☒

E2

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name: [redacted]
Sex: ☒ Male ☐ Female	Race: Hispanic	Unit of Assignment: Twin Towers Correctional Facility	Work Assignment (Unit #, Module, etc.): T/2 Line Sr.
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: 40	Height: 5-07 / Weight: 150
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #:	Directed Force ☐ Significant Force ☒

E3

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name: [redacted]
Sex: ☒ Male ☐ Female	Race: Hispanic	Unit of Assignment: Twin Towers Correctional Facility	Work Assignment (Unit #, Module, etc.): 242 F/2
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: 23	Height: 5-6 / Weight: 145
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #:	Directed Force ☐ Significant Force ☐

☒ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Chaffin	William	E.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp.	Last Name	First Name	Middle Name
[redacted]	Ramos	Kristie	L.

Watch Commander

Emp.	Last Name	First Name	Middle Name
[redacted]	Lopez	Daniel	V.

Watch Commander (**Print Name**): David J. Stunson, Sergeant | Watch Commander's **Signature**: | Emp #: [redacted] | Date:

Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: APPROVED RODERICK A. KUSCH, LT. [redacted] 11-3-09 | Emp #: | Date:

DISCOVERY Use Only

FO#

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
0 0 8 - 0 1 8 1 7 - 5 8 0 0 - 1 4 5

Involved Employee

E 4

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex: ☒ Male ☐ Female | Race: White | Unit of Assignment: TTCF | Work Assignment (Unit #, Module, etc.): 242F/1

Shift: ☒ EM ☐ Day ☐ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: 33 | Height: 5-11 | Weight: 185

☐ Injured ☐ Treated ☐ Admitted Hospital:___ | Coroner Case # | Directed Force ☐ Significant Force ☒

E__

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital:___ | Coroner Case # | Directed Force ☐ Significant Force ☐

E__

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital:___ | Coroner Case # | Directed Force ☐ Significant Force ☐

E__

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital:___ | Coroner Case # | Directed Force ☐ Significant Force ☐

E__

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital:___ | Coroner Case # | Directed Force ☐ Significant Force ☐

Supervisor's Report on Use of Force
SUSPECT INFORMATION
008-01817-5800-145

Suspect Information

S 1

Last Name: Valdivia | First Name: Ramiro | Middle Name: nmn

AKA Last Name: | First Name: | Middle Name:

Sex: [X] Male [ ] Female | Race: Hispanic | Street Address: State Prisoner | City: | State & Zip Code:

Work Phone: n/p | Home Phone: n/p | Age: 24 | Height: 5-08 | D.O.B. 06-06-81 | Weight: 170 | Armed? [ ]

Booking #: 8886221 | Primary Charge Code: [redacted] | Secondary Charge Code: | Criminal History [X]

EMT in attendance? [ ] YES [X] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [X] Rec'd Treatment At: LA Co./USC Medical Center Coroner Case #: ______ Mental History [ ]

By Doctor: Dr. Samuel Kashani Address: LA Co./USC Medical Center Phone #: n/p

Under Influence: [X] YES [ ] NO Substance: Jail-made alcoholic beverage, pruno Mental Illness [ ]

Suspect Interview

Date: December 8, 2008 | Time: 0530 | [X] Audiotape: | [X] Videotape: | [X] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ Mental Illness: [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
0 0 8 - 0 1 8 1 7 - 5 8 0 0 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	nmn		
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
Los.Angeles County Jail Inmate Bkg. [redacted]				
Last Name	**Fi[redacted]**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**

☐ **Additional Witness**

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

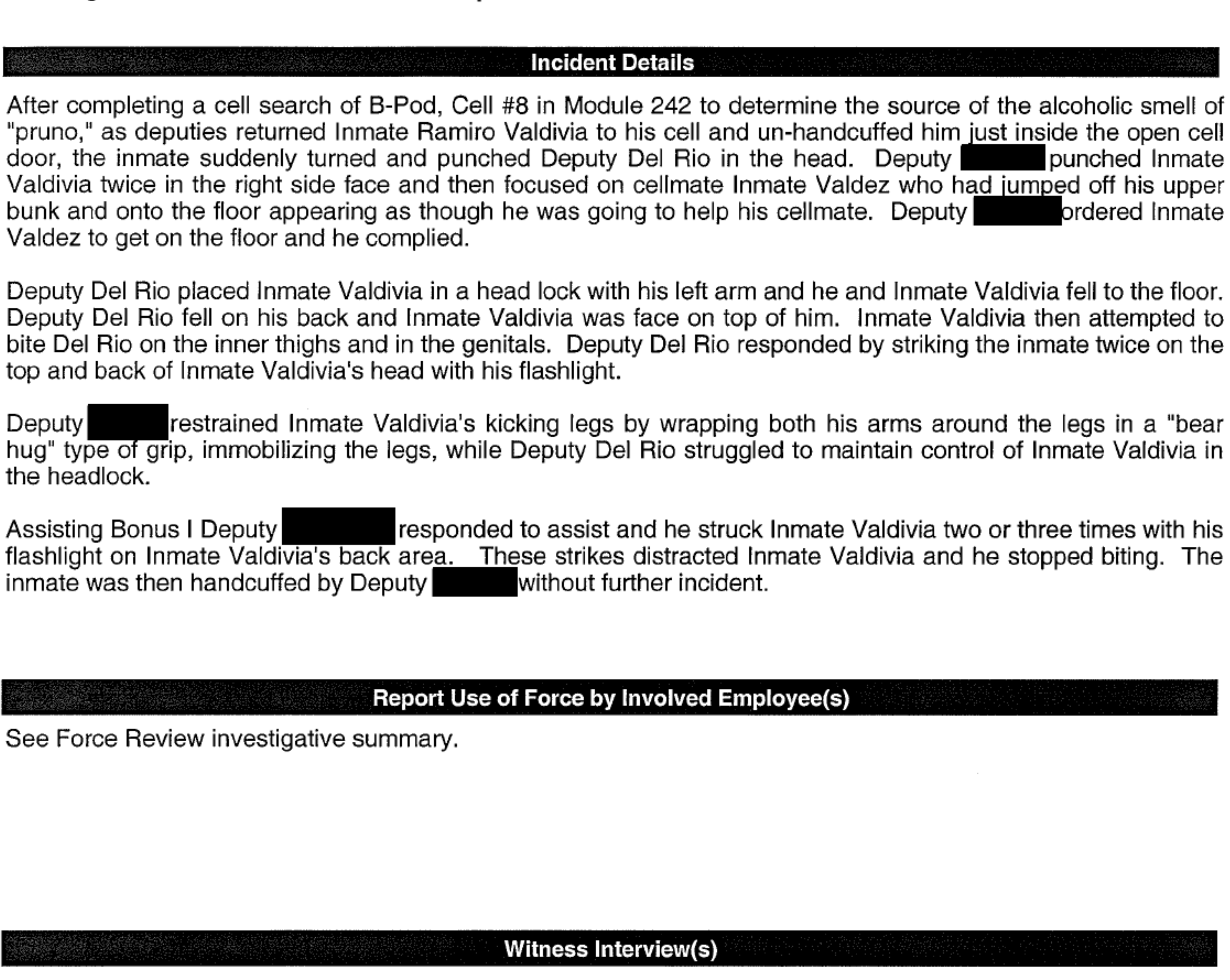
Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Ramiro Valdivia	S#1	Antonio Del Rio	E#1	PH	BR/AB	HE
Antonio Del Rio	E#1	Ramiro Valdivia	S#1	FL	LC	HE
[redacted]	E#2	Ramiro Valdivia	S#1	FL	BR	BK
	E#3	Ramiro Valdivia	S#1	PH	NN	
	E#4	Ramiro Valdivia	S#1	PH	NN	



Force Applied

Flashlight strikes to head and torso and punches to face.

Incident Details

After completing a cell search of B-Pod, Cell #8 in Module 242 to determine the source of the alcoholic smell of "pruno," as deputies returned Inmate Ramiro Valdivia to his cell and un-handcuffed him just inside the open cell door, the inmate suddenly turned and punched Deputy Del Rio in the head. Deputy [redacted] punched Inmate Valdivia twice in the right side face and then focused on cellmate Inmate Valdez who had jumped off his upper bunk and onto the floor appearing as though he was going to help his cellmate. Deputy [redacted] ordered Inmate Valdez to get on the floor and he complied.

Deputy Del Rio placed Inmate Valdivia in a head lock with his left arm and he and Inmate Valdivia fell to the floor. Deputy Del Rio fell on his back and Inmate Valdivia was face on top of him. Inmate Valdivia then attempted to bite Del Rio on the inner thighs and in the genitals. Deputy Del Rio responded by striking the inmate twice on the top and back of Inmate Valdivia's head with his flashlight.

Deputy [redacted] restrained Inmate Valdivia's kicking legs by wrapping both his arms around the legs in a "bear hug" type of grip, immobilizing the legs, while Deputy Del Rio struggled to maintain control of Inmate Valdivia in the headlock.

Assisting Bonus I Deputy [redacted] responded to assist and he struck Inmate Valdivia two or three times with his flashlight on Inmate Valdivia's back area. These strikes distracted Inmate Valdivia and he stopped biting. The inmate was then handcuffed by Deputy [redacted] without further incident.

Report Use of Force by Involved Employee(s)

See Force Review investigative summary.

Witness Interview(s)

See Force Review investigative summary.

Suspect Interview(s)

Suspect Interview(s) Conducted by: ☒ **Watch Commander** ☐ **Supervising Sergeant**

Inmate Valdivia was initially interviewed in the late evening on December 7, 2008, by TTCF Sergeant William Chaffin with Lieutenant Daniel Lopez attending. When asked how his head was injured, Inmate Valdivia said he "fell off his bunk." This interview was digitally video recorded (DVD in case file).

Inmate Valdivia was later interviewed at 0520 hours on December 8, 2008, by Internal Affairs Bureau Sergeants David Stunson and Roosevelt Johnson at the emergency room at LCMC. Inmate Valdivia refused to provide a statement.

Medical Review

Inmate Valdivia sustained an approximate 2 inch laceration to the back of his head which was treated by L.A. County / USC Medical Center emergency room physician Dr. Samual Kashani. He said the inmate also sustained abrasions to his head area. Dr. Kashani told the IAB investigator he cleaned the wound and applied two staples to the back of Inmate Valdivia's head to close the laceration. He said the laceration was consistent with a flashlight strike and the abrasions were consistent with punches to the head. Dr. Kashani cited HIPPA laws to restrict further information regarding Inmate Valdivia's injuries.

Training & Tactical Review

☐ **Debriefing held to discuss training and tactical issues.**

INVESTIGATIVE NARRATIVE

INVESTIGATIVE NARRATIVE
USE OF FORCE
TWIN TOWERS CORRECTIONAL FACILITY

TYPE: FLASHLIGHT STRIKES / LACERATION TO HEAD OF INMATE

I.A.B. File Number: FO2233614
URN: 008-01817-5800-145

DATE / DAY / TIME: December 7, 2008 / Sunday / 2220 hrs.

LOCATION: Twin Towers Correctional Facility (Module 242, B-Pod, Cell #8)
450 Bauchet St., Los Angeles, California 90012

On Sunday, December 8, 2008, at 0015 hours, Internal Affairs Bureau (IAB) Force / Shooting Response Team members, Lieutenant Rod Kusch and Sergeants David Stunson and Roosevelt Johnson, responded to Twin Towers Correctional Facility regarding an injured inmate. Inmate Ramiro Valdivia engaged in an altercation with Deputy Antonio Del Rio and during the struggle, Inmate Valdivia sustained a laceration to the right-rear of his head after being struck by Deputy Del Rio's flashlight (refer to **Exhibit C**, photographs, figures 9, 10 and 11).

Deputy [redacted], Deputy Del Rio and Deputy [redacted] conducted a cell search to find the origin of the smell of pruno (jail-made alcohol) in Module 242 B, Cell 8, and were returning the second of two inmates, Inmate Valdivia, into the cell. The first inmate ([redacted] booking #[redacted]) was un-handcuffed and complied when directed to his upper bunk. As Deputy Del Rio un-handcuffed the second inmate, Inmate Valdivia, the inmate abruptly turned around to his left and punched Deputy Del Rio in the head with his right fist. Deputy Del Rio immediately used his left arm and placed Inmate Valdivia in a headlock. As Inmate Valdivia swung his arms punching Deputy Del Rio in the head, both Del Rio and Inmate Valdivia fell to the cell floor. Simultaneously, Inmate [redacted] jumped off his upper bunk as if he was about to join in on the altercation. Deputy [redacted] diverted away from beginning to assist Deputy Del Rio and yelled at Inmate [redacted] to drop to the floor on his stomach. Inmate [redacted] complied.

Deputy [redacted] who was just outside the cell door observing when the altercation began, entered the cell and kneeled onto the floor to immobilize Inmate Valdivia's legs by placing both legs in a "bear hug" type of grip. Inmate Valdivia partially slipped down from Deputy Del Rio's grasp and began biting at Deputy Del Rio's inner thighs and he appeared to be attempting to bite Del Rio's genital area. Fearing he would be bitten in the genitals, Deputy Del Rio struck Inmate Valdivia in the head twice with his flashlight (refer to **Exhibit C**, photographs, figure 16). Bonus I Deputy [redacted] also responded and struck the suspect on the torso with his flashlight (refer to **Exhibit C**, photographs, figure 17). Once the inmate was struck, he ceased attempting to bite Deputy Del Rio and deputies were able to handcuff the inmate without further incident. Inmate Valdivia sustained a two inch laceration to the right-rear of his head (refer to **Exhibit C**, photographs).

The following is intended only as a synopsis of the interviews and related reports. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews, verbatim transcriptions, and related reports.

For additional information, refer to **Exhibit A and B,** the Incident Report and Supplementary Reports, and **Exhibit C**, photographs of the location, inmate and Deputy Del Rio.

INVOLVED PERSONNEL:

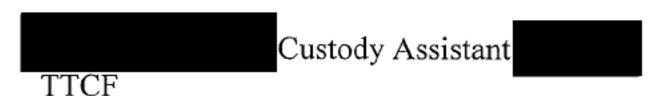
Del Rio, Antonio J., [redacted]	Deputy	TTCF	MH/23	5-09/190 lbs.
[redacted]	B-1 Deputy	TTCF	MH/41	5-11/175 lbs.
[redacted]	Deputy	TTCF	MH/23	5-08/160 lbs.
[redacted]	Deputy	TTCF	MW/33	5-11/185 lbs.

INVOLVED EMPLOYEE WORK HISTORY:

Deputy Del Rio was a [redacted] Department employee at the time of the incident and had worked at TTCF for seven months.

[redacted]

EMPLOYEE WITNESSES:


[redacted] Custody Assistant [redacted]
TTCF

INMATE WITNESS:

[redacted], booking [redacted] MH/[redacted]
TTCF Cell Mate

INJURIES:

Deputy Del Rio - sustained bruises to his forehead (refer to **Exhibit C**, photographs, figures 7 and 8).
Suspect Valdivia - sustained a two-inch laceration to the right-rear of his head and abrasions to the forehead, face and elbows (refer to **Exhibit C**, photographs, figures 9 through 14, and **Exhibit F**, an Inmate Injury Report and the LCMC medical record).

> **IAB Note:** Following the incident, Inmate Valdivia was initially taken to the TTCF clinic where Medical Services Bureau staff attempted to assess and treat the injured inmate but he refused to cooperate and declined their services (refer to the DVD of the video recording and **Exhibit C**, figure 15, a still photograph from the video of Inmate Valdivia in the TTCF Clinic). Inmate Valdivia was then transported to the Los Angeles County-USC Medical Center emergency room for medical treatment. Dr. Samuel Kashani was the treating physician. He told Sergeant Stunson the suspect sustained some abrasions to his face and a laceration to his head which required two staples to close. When asked if the injuries were consistent with being struck by flashlight and fists, Dr. Kashini said, "Yes." He declined to provide more specific information citing HIPPA as restricting the dissemination of patient medical information. Refer to the Inmate Injury Report and the L.A. County-USC Medical Center patient record in **Exhibit F** for details.

CRIMINAL CHARGES:

Valdivia, Ramiro Booking #8886221 MH/37 5-10/190 lbs.

Prior arrests include: [redacted]

CRIMINAL INVESTIGATOR AND CHARGES FILED:

Custody Investigative Services Unit, Detective Rodolfo O'Dell III, [redacted]

An Incident Report alleging Resisting or Deterring a Police Officer, 69 PC, was completed and submitted to Custody Investigative Services Unit for follow-up investigation and possible filing with the District Attorney's Office. The investigation was assigned to Detective Rodolfo O'Dell. Two felony charges were filed, 69 PC and 243(c) PC. Bail was set at $50,000 (refer to **Exhibit D**, which contains Detective O'Dell's January 15, 2009, email regarding the charges).

INVESTIGATOR NOTE:

The incident occurred after clearance of the 2100 hour count and all other Pod inmates were secured in their cells and not able to see the incident inside Cell #8.

REVIEW OF VIDEO RECORDING OF INMATE VISIT TO CLINIC AND WATCH COMMANDER INTERVIEW

IAB Sergeant Stunson obtained and reviewed a video recording provided by TTCF Sergeant William E. Chaffin. The video shows deputies escorting Inmate Valdivia while he was secured in a safety chair, from his housing location to the TTCF Clinic. Once at the clinic, nurses and a doctor attempted to examine Inmate Valdivia's head injury but he was too physically resistant and uncooperative to enable them to do so. Inmate Valdivia kept violently swinging his torso forward and his head from side to side.

The recording shows watch commander Lieutenant Daniel V. Lopez interviewing Inmate Valdivia prior to his being transported via radio car, to LCMC. When Lieutenant Lopez asked Inmate Valdivia what occurred to cause his injury, he said, "I don't know what you are talking about." When asked again, he said, "I fell off my bunk." When asked if he had been drinking any "pruno" that evening, Inmate Valdivia said, "A little bit."

WEAPONS USED BY DEPUTY PERSONNEL:

Fists (personal weapons) and flashlights.

WEAPONS USED BY INMATE VALDIVIA:

Fists, teeth and legs.

EMPLOYEE WITNESSES:

Custody Assistant [redacted]

Custody Assistant [redacted] was interviewed by IAB Sergeants David Stunson and Roosevelt Johnson on December 8, 2008, on the EM shift, at TTCF. The interview was digitally audio recorded.

[redacted] was assigned to the Module 242 control booth position and was monitoring involved deputy personnel as they conducted the cell search of Cell #8. He said he also saw the altercation from his vantage in the control booth. He said he "popped" the cell door and both inmates exited and were handcuffed before they were escorted away from the cell and placed in a nearby holding area. [redacted] said both inmates (Ramiro Valdivia and [redacted]) appeared cooperative as they were placed in the holding area. He said deputies then went inside the unoccupied cell and searched it.

[redacted] said that after the deputies completed the cell search, they escorted the two inmates back from their holding area, one at a time. He identified the deputies at Deputy [redacted] Deputy Del Rio and Deputy [redacted] The first inmate, [redacted] was un-handcuffed in the open cell doorway and he walked inside and climbed up onto his upper bunk without incident.

[redacted] said deputies then walked Inmate Valdivia back to the open cell door and as [redacted] was observing, he saw deputies un-handcuff the inmate. Once the second handcuff was removed, [redacted] saw Inmate Valdivia suddenly turn around on and rush and attack Deputy Del Rio. He said a "scuffle" ensued and [redacted] saw other deputies rushing in to help Deputy Del Rio.
A combination of the presence of multiple deputies and the large concrete support pillar obscured some of [redacted] view (refer to **Exhibit C**, photographs, figures 2 and 4) . This prevented him from seeing specifically what each deputy and what the inmate was doing in the scuffle. [redacted] said he could hear Deputy [redacted] commanding Inmate Valdivia to stop fighting and to stay on the floor, through his control panel speaker, via the cell's speaker. When asked to explain what type of force he actually observed, [redacted] said he only saw Deputy Del Rio "grab Inmate Valdivia in kind of a headlock to try to control him. And then after that, [he] saw them fall back."

[redacted] said he immediately broadcast over his radio advising of the fight involving deputies and he opened the pod slider doors in preparation for additional responding personnel's entry into the pod.

After Inmate Valdivia was re-handcuffed, [redacted] saw deputies escort the inmate out from the cell and to the "staging area" (refer to **Exhibit G**, a diagram of the facility's floor plan). Once out in the staging area, [redacted] said Inmate Valdivia became uncooperative and was "more violent, flailing his feet and so they sat him down right there and told him to stop fighting." [redacted] said by then, there were "way more responders, so they held him down and told him 'calm down'."

[redacted] said he did not see any injuries on the inmate. He did see a red mark on Deputy Del Rio's forehead.

[redacted] estimated the entire incident took "a couple of minutes."

INVOLVED EMPLOYEE STATEMENTS:

Deputy Antonio Del Rio, [redacted]

Deputy Del Rio was interviewed on EM shift on December 8, 2008, at TTCF Module 242, by Internal Affairs Bureau Sergeants David Stunson and Roosevelt Johnson. The interview was digitally audio recorded. He was not represented during the interview.

For full details of Involved Employee Deputy Del Rio's actions and observations, refer to his interview transcription in the case book. Also refer to his Supplemental Report, Exhibit B-1.

Deputy [redacted]

Deputy [redacted] was interviewed on EM shift on December 8, 2008, at TTCF Module 242, by Internal Affairs Bureau Sergeants David Stunson and Roosevelt Johnson. The interview was digitally audio recorded. He was not represented during the interview.

For full details of Involved Employee Deputy [redacted] actions and observations, refer to his interview transcription and the Incident Report he wrote (Exhibit A), each located in this case book.

Deputy [redacted]

Deputy Contreras was interviewed on EM shift on December 8, 2008, at TTCF Module 242, by Internal Affairs Bureau Sergeants David Stunson and Roosevelt Johnson. The interview was digitally audio recorded. He was not represented during the interview.

For full details of Involved Employee Deputy [redacted] actions and observations, refer to his interview transcription in the case book. Also refer to his Supplemental Report, Exhibit B-2.

Deputy [redacted]

Deputy [redacted] was interviewed by IAB Sergeants David Stunson and Roosevelt Johnson on the EM shift of December 8, 2007, at TTCF. The interview was digitally audio recorded.

Deputy [redacted] said he was summoned by other deputies in Module 242 to respond to the B pod to assist with monitoring inmates who were taken out of their cell for a cell search. After the cell search was completed, Inmate Valdez was escorted back into the cell and un-handcuffed. Deputies Del Rio and [redacted] then began un-handcuffing Inmate Valdivia in the open cell doorway. Once Deputy [redacted] removed the second handcuff, Deputy [redacted] saw Inmate Valdivia quickly turn left and punch Deputy Del Rio in the face. He saw Deputy Del Rio place Inmate Valdivia in a head lock and then both the inmate and Deputy Del Rio fell to the cell floor. The inmate continued struggling and attempting to get out of Deputy Del Rio's grasp.

Deputy [redacted] said he entered the cell doorway and grabbed hold of Inmate Valdivia's legs to immobilize him while Deputy Del Rio kept Inmate Valdivia in a head lock. He also noticed the inmate was attempting to bite Deputy Del Rio's groin area. Deputy [redacted] said he saw Deputy [redacted] enter the cell and strike the inmate in the lower back area three or four times with his flashlight which enabled Deputy [redacted] to re-handcuff Inmate Valdivia without further incident.

Refer to the Supplemental Report prepared by Deputy [redacted] Exhibit B-3, and for the complete interview statement, refer to the Lucid digital audio recording.

INMATE WITNESS:

[redacted]

Inmate [redacted] was interviewed inside Module 242, B Pod, Cell #8 on the EM shift of December 8, 2008, by Internal Affairs Bureau Sergeant Stunson. The interview was digitally audio recorded.

When first contacted by Sergeant Stunson and before the recording device was activated, Inmate [redacted] was informed he would be asked for his statement. He said, "I don't have one." Once the recording device was activated and he was asked to tell what he saw during the incident, Witness [redacted] said he would not give a statement as to what he saw.

INMATE STATEMENT:

Ramiro Valdivia:

Inmate Valdivia was contacted and interviewed in the emergency room wing of the Los Angeles County-University of Southern California Medical Center on December 8, 2008, at 0525 hours by Internal Affairs Bureau Sergeants Stunson and Johnson. The interview was digitally audio recorded.

Inmate Valdivia said he did not have anything to say. He added only, "My head hurts."

DEPUTY DEL RIO INTERVIEW

Stunson: We're being recorded. This is Sergeant Dave Stunson and today's date is December the 8th, 2008. The time is 02:48 hours. We are here in Tower Two on the fourth floor, in the sergeants' office and of Twin Towers Correctional Facility, and we're here on a use of force and we are currently interviewing Deputy Antonio Del Rio, and Deputy Del Rio, can you please state your full name, spell your last name and include your employee number please?

Del Rio: Sure, Antonio Del Rio. Last name spelled D-E-L-R-I-O. My employee numbers are [redacted]

Stunson: And what position are you working today on the in-service sheet?

Del Rio: I believe it's Frank 1.

Stunson: Frank 1, okay. And do your duties just cover this floor?

Del Rio: Actually I was working the other floor.

Stunson: Oh were you?

Del Rio: Yes.

Stunson: Okay.

Del Rio: 41, that's my, I consider my hard spot.

Stunson: And then is [redacted] your regular shift or are you just being held over to write paper and be interviewed?

Del Rio: [redacted]

Stunson: So you worked, let's see, this incident happened at about 22:20. So it was right after you came on basically?

Del Rio: Yes sir.

Stunson: And your hours for your shift are?

Del Rio: [redacted]

Stunson: [redacted]

Del Rio: Uh huh.

Stunson: To [redacted]

Del Rio: I'm sorry, [redacted]

Stunson: [redacted]

Del Rio: Yeah.

Stunson: To [redacted]

Del Rio: [redacted]

Stunson: Is that right?

Johnson: It's [redacted] From [redacted]

Del Rio: Yeah, I'm sorry, [redacted] I got my numbers screwed up.

Stunson: That's okay. Okay. Why don't you go ahead and tell us how this incident occurred, how you got involved and what transpired.

Del Rio: Basically I came in, I came in for the shift. I was with the count on 241. After we're doing, I went into the module and my module officer, Officer [redacted] [Deputy [redacted] told me that Deputy [redacted] had called over and said they were going to be conducting cell searches on this side and they needed additional backup, because they have higher security level inmates here at are usually black boxed and –

Stunson: What is black boxed?

Del Rio: It's, they're a higher security level and they have to be handcuffed a certain way when they go to court. They have basically handcuffs in the front and it's a black box cover over it with a padlock and it's tied around their waist and also their feet are also handcuffed or chained should I say. You know, it's a known, it's a gang module. They consider it a gang module over here.

Stunson: Okay.

Del Rio: So we came over here after, I came over here and then Deputy [redacted] kind of briefed me that you know, he was walking around and he smelled a little bit of alcohol in there and that he wanted to do a search for contraband in a certain cell that he saw an inmate was kind of a little bit drunk, possibly (**Exhibit C, figures 2 & 3**). So we went in there, we pulled him out. They complied with our orders. We sat them out on the bench, we searched through his cell for contraband. We found a couple of items that they use to make alcohol with.

Stunson: Let me ask you real quick, sorry, was he handcuffed in the manner that you called the black boxed type?

Del Rio: No sir.

Stunson: Okay.

Del Rio: He was handcuffed behind his back.

Stunson: So just a set of handcuffs behind his back?

Del Rio: Yes sir.

Stunson: And he was removed from the cell?

Del Rio: Removed from the cell.

Stunson: And where was he placed?

Del Rio: In one of the spider tables (**Exhibit C, figure 4**), the one closest to his cell.

Stunson: Okay.

Del Rio: Which was right by the phones.

Stunson: In the common area right?

Del Rio: Right. Yes sir, common area. So after that we started searching through his cell. Found a couple of items they used to make alcohol in here. We took the items away.

Stunson: What were those items?

Del Rio: It's what they consider a "kicker." Basically it's a bunch of bread put together with like jelly and stuff. Usually they'll use that, let it fermented for a while and

then put it in a big bag of orange juice or Kool-Aid and stuff and it'll, it speeds the process up for making alcohol.

Stunson: Okay.

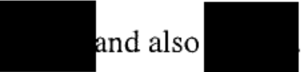
Del Rio: So we took that away and we searched through his cell. We didn't find anything, any contraband or anything. We took what we, what we found, the apples and stuff and at this time the inmates were being cooperative. They weren't being mouthy or, they were just you know, just a regular routine cell search.

Stunson: And was it just two inmates that were in the cell that were brought out?

Del Rio: Yes sir.

Stunson: Okay.

Del Rio: You know, we're doing, it was me, [redacted] and also [redacted].



Stunson: You and [redacted] and?

Del Rio: Me, [redacted] and Deputy [redacted].

Stunson: How do you spell the third deputy's name?

Del Rio: [redacted].

Stunson: Thank you.

Del Rio: So after that we had the first guy, which was Inmate [redacted] [bkg. #[redacted]]. We called him up to step up to the door so we could take his handcuffs off and go back to his cell. We took his cuffs off, he complied with us. Gave us no problems, went up to his bunk (**Exhibit C, figure 3**). Deputy [redacted] told him you know, "Lay down." not to move and he was cooperative. We called his cellmate over, which is the suspect, it's Valdivia. We had him step up and we had him right there at the entry way or the door and he was being coop. He wasn't being mouthy, nothing. So we uncuff him. I was standing to the left of Deputy [redacted] everything seemed normal. We uncuffed him –

Stunson: And where specifically were you guys positioned at that time?

Del Rio: We were right in front of the cell door (**Exhibit C, figures 2, 3 & 5**). Between the you know, the threshold is right here and we were just outside.

Stunson: So the door, the cell door was still propped open?

Del Rio: Yeah, it was wide open.

Stunson: Okay.

Del Rio: So after Deputy [redacted] takes his cuffs off, the suspect, Valdivia, he immediately turns around and he does, he strikes me in the face.

Stunson: Did he turn to his left or his right, do you remember?

Del Rio: I believe it was his right or, hold on. It had to be his left, because he hit me with his right.

Stunson: And you said he punched you with his right hand?

Del Rio: Right.

Stunson: Did he have a closed fist?

Del Rio: Right, he had a fist, he hit me with his fist.

Stunson: And where did that blow hit you?

Del Rio: It must have hit me right here (**Exhibit C, figures 7 & 8**).

Stunson: So you're pointing to your right, upper forehead?

Del Rio: Right.

Stunson: And then what happened?

Del Rio: After that, I grabbed him with my left hand in a headlock and then he continued to struggle with me and at that point I hit him three times and in order to get him to stop. I told him to stop fighting.

Stunson: Now you're, just for, because this is only an audio recording, you're using your right hand to punch him?

Del Rio: Strike him, yes.

Stunson: And where were your blows landing?

Del Rio: In his face.

Stunson: Okay.

Del Rio: So I hit him a couple times and –

Stunson: Couple meaning how many would you guess?

Del Rio: Maybe three to four.

Stunson: Okay.

Del Rio: And then I struck him a few times and then that's when he began striking me behind the head. He hit me several times. I don't remember how many times, but he hit me a couple good times.

Stunson: Do you remember which fist he was using?

Del Rio: We had him like this, so it had to have been his right fist.

Stunson: Okay.

Del Rio: He was hitting me pretty good behind the head.

Stunson: Okay.

Del Rio: At that time I tried to like you know, reposition so I wouldn't get hit anymore and then that's when I tripped and I fall on my back and he falls on top of me.

Stunson: Where did you guys fall?

Del Rio: We fell, we were struggling around. So we ended up further inside the cell **(Exhibit C)**.

Stunson: Okay.

Del Rio: So at that point he falls on top of me and he strikes me two more times with his fist in the face.

Stunson: In your face?

Del Rio: Yes.

Stunson: Okay.

Del Rio: And then that's when I strike him two to three times from that position, to try to get him off of me.

Stunson: Were you maintaining holding the headlock or when you fell did you lose the grip on him?

Del Rio: No, when I fell I still maintained the headlock, but you know, he broke free right away and that's when you know, he struck me.

Stunson: Okay.

Del Rio: And I struck him back two to three times again and then that's, that's when he started coming kind of like, I tried to get him off of me and he came lower. Then he buried his head in my crotch area.

Stunson: Uh huh.

Del Rio: And I felt his teeth against my inner thigh and I felt him trying to come up further and in an effort for my safety, he was trying to bite me, my groin area, my genitals. So I pulled out my flashlight and I attempted to strike him in the back, like by the shoulder blade area.

Stunson: Uh huh.

Del Rio: But he was you know, moving around and still trying to, he was still actively fighting me.

Stunson: Was it stomach to stomach, is that how you guys were positioned?

Del Rio: Well no, because he, his head was buried into my crotch.

Stunson: Okay.

Del Rio: So he was further down on me.

Stunson: Okay.

Del Rio: So I retrieved my flashlight (**Exhibit C, figure 16**) and it was so quick, he started getting closer and closer and I feared he might cause great bodily injury by biting me in the crotch and the genitals. So my initial, I initially tried to aim for his shoulder blades, but since he was positioned way down below me and he was still

trying to swing at me, I swung it and I hit him on top of the head (**Exhibit C, figures 9, 10 & 11**) and then he continued. Once I hit him on top of the head he got, I don't know if he got angry or something, but he kept on moving in. So I struck him again, trying to get him in the shoulder blades again and I struck him on the head again and then I was going to go a third time, but I was you know, I realized I'm hitting him on the head. You know, I don't want to you know, hurt this guy you know.

Stunson: Where were you intending the blows to hit the, with the flashlight strikes?

Del Rio: Right back here.

Stunson: And you're pointing to your right top rear shoulder.

Del Rio: Right, well actually it's kind of back here.

Stunson: I'm sorry, your left top rear shoulder.

Del Rio: The shoulder blade area.

Stunson: Okay.

Del Rio: I was trying to stay away from this area and from the head.

Stunson: Was he struggling at this time, was he moving about?

Del Rio: After I struck him the first time, he was moving, it intensified and he started fighting harder or trying to get in my crotch area. You know, he's got more like angry or something.

Stunson: Was he doing anything with his feet, legs, his hands and arms?

Del Rio: I couldn't see his feet, but his arms, he was trying to squeeze me, at the same time he was swinging his arms.

Stunson: I guess what I'm getting at, was he staying like just in a fixed, stationary position when you were trying to strike him with a flashlight or was his body moving –

Del Rio: Yeah, his head was fixed on my crotch and his body, I don't know what his legs were doing, but I know his arms, he was still swinging his arms.

Stunson: So there was movement on both of your parts then right?

Del Rio: Yeah, because I was still trying to get out of it too and control the flashlight and my other hand, trying to push him off of me and –

Stunson: Okay.

Del Rio: And I know my, the deputy was somewhere in front of me trying to control his legs [Deputy [redacted]]. Trying to pull him off of me too.

Stunson: Now, when you did the flashlight strikes to his upper body, intended for his upper body.

Del Rio: Right.

Stunson: Shoulder blade area, you said he got hit on the top of his head or the back of his head?

Del Rio: I'm not sure exactly where.

Stunson: Okay.

Del Rio: I want to say the top of his head, but it could have been the back of his head.

Stunson: Okay.

Del Rio: It happened so fast that you know, I wasn't you know, I didn't look at him when I struck him.

Stunson: How many times did you think you struck him with the flashlight?

Del Rio: I must have struck him about two to three times.

Stunson: And –

Del Rio: Actually it was twice and the third time I was going to do it, but I stopped. I'm sorry.

Stunson: And did each one of those flashlight strikes hit him in the head or did any of them actually hit him in the intended area of the shoulder blades?

Del Rio: No, both of them hit him on his head.

Stunson: And you know what I failed earlier to mention, Sergeant Roosevelt Johnson is also here in this interview and our Lieutenant Rod Kusch is also in attendance and

go ahead with your story. How did it, after he got struck a couple of times with the flashlight, then what happened?

Del Rio: That's when Senior [redacted] came into the cell and then he struck him a few times with his flashlight, because he saw that he was trying to, his head was buried in my crotch area I guess.

Stunson: Do you know where those flashlight strikes hit?

Del Rio: You know, I'm not exactly certain. I saw him swing it, but I didn't see where it landed, but I think that he was aiming for the general area of his back.

Stunson: Okay.

Del Rio: His sides, his back.

Stunson: And what was Deputy [redacted] doing when you were struggling with this inmate, he was trying to bite you in the crotch?

Del Rio: You know I didn't really have an obs on him, because I was busy trying to control the suspect, but I did see the other guy jump out of his bunk and then –

Stunson: The other inmate?

Del Rio: The other inmate, yeah, I'm sorry, and then he, that's when I kind of shifted my direction back to the guy or the suspect I was fighting and then you know, after that I saw him on the ground laying down.

Stunson: Now, how did the, how did the inmate finally get under control? How did you guys get him under control?

Del Rio: Well after I struck him and then after Senior [redacted] struck him, we were able to, they were able to get a hold of him and cuff him up.

Stunson: Who handcuffed him, do you remember?

Del Rio: I'm not sure. He was on top of me and I don't recall.

Stunson: Besides yourself and Deputy [redacted] and Senior [redacted], you had mentioned a Deputy [redacted]. Was he inside of the cell at that time too?

Del Rio: Yes he was.

Stunson: What was he doing?

Del Rio: He was trying to pull his, he was trying to control his legs.

Stunson: Okay.

Del Rio: I don't know if he was trying to pull him off or trying to, I don't know what he was doing, but I saw him, I saw him when, as I was laying on my back I saw him in front of me when they were trying to control him.

Stunson: And Antonio, how tall are you?

Del Rio: 5' 6", approximately.

Stunson: And how much do you weigh?

Del Rio: Approximately 165.

Stunson: And Inmate Valdivia [27], how tall would you say he is?

Del Rio: He's about the same height.

Stunson: And how was he built?

Del Rio: He's muscular built. He's got some body mass on him. He's athletic.

Stunson: How much would you say he weighs?

Del Rio: Probably have to estimate about maybe 190 or so.

Stunson: And how old are you?

Del Rio: 24.

Stunson: And how old is Valdivia?

Del Rio: I'm not sure sir.

Stunson: What would you guess?

Del Rio: Maybe 24 or 25.

Stunson: Did, was anybody putting anything out on the radio when this thing was going on, do you remember?

Del Rio: I heard the radio traffic and then I heard that my C.A., or the C.A. in the booth was putting traffic out.

Stunson: And who was that C.A.?

Del Rio: [redacted]

Stunson: [Custody Assistant [redacted]?

Del Rio: Uh huh.

Stunson: Do you known [redacted] first name?

Del Rio: [redacted]

Stunson: [redacted] Do you know Senior [redacted] first name?

Del Rio: No, I don't sir.

Stunson: How about Deputy [redacted], do you know his first name?

Del Rio: No sir.

Stunson: How about Deputy [redacted] do you know his first name?

Del Rio: No sir.

Stunson: [Sergeant] Roosevelt [Johnson]?

Johnson: Do you have any, do you guys have a Taser?

Del Rio: Yes we did.

Johnson: Did you have a Taser on you?

Del Rio: I had a Taser on me and so did Deputy [redacted]

Johnson: Do you know if it was ever applied?

Del Rio: No, we couldn't, everything happened so fast that I wasn't able to get it out of my pocket, because I had it in my pocket.

Johnson: And O.C. spray?

Del Rio: I had it right here. Like I said, I wasn't able to reach for anything. It happened so fast that the only thing he could do was hit him back or try to get him under control.

Johnson: Were do you carry a flashlight on you?

Del Rio: I had a holster right here, on my right –

Johnson: Just for the tape you're indicating –

Del Rio: Yeah, on the right.

Johnson: – the right side.

Del Rio: My right side.

Johnson: The alcohol, you said something about you noticed that there was alcohol or someone said something about alcohol. What do you guys refer to that as?

Del Rio: Well the term the inmates use is pruno, it's known as pruno. It's a jail made alcohol.

Johnson: Okay.

Stunson: I can't think of anything else. Can you think of anything else that's important to anybody that's going to evaluate this use of force that we didn't bring out during this interview?

Del Rio: I can't think of anything sir.

Stunson: Okay.

Johnson: What injuries did you sustain?

Del Rio: I got struck right here.

Johnson: You're indicating on the right side of your forehead. I see some redness there and I also see some redness on the right side of the top of your head and the right side of your head, through your hairline I can see redness. Any other –

Del Rio: I got struck behind the head. It's a little sore. I'm not sure if I have bruising or not.

Johnson: The blood that you have on your uniform and is that your blood or do you think that's –

Del Rio: I'm pretty sure it's the inmates' blood.

Stunson: Anything else? I think when we talked to you earlier, did you have any scrapes on your hands or your elbows or anything?

Del Rio: Yeah, I also had a scrape on my elbow right here.

Stunson: Okay.

Del Rio: And then when he landed on top of me, he hit me about two times in the face. So I got, I had a little –

Stunson: Swollen?

Del Rio: – swollen lip a little bit and then right here I had a little bit red right here, but it went away.

Stunson: Okay.

Del Rio: It might have went away.

Stunson: It's still there a little bit.

Del Rio: It could still be there.

Stunson: Any injuries to the inside of your thigh or anything?

Del Rio: No. No injuries to my thigh.

Stunson: Roosevelt, anything else? No. Anything else that you want to add?

Del Rio: No sir.

Stunson: One other question, had you had any prior dealings with this inmate?

Del Rio: No.

Stunson: No?

Del Rio: I think we ran into him once a while back. I was providing security for him when they were doing a search.

Stunson: Uh huh.

Del Rio: This is a while back. I wasn't really, I was just kind of standing on the side watching this side do their search over here. Providing security for them.

Stunson: But have you ever had –

Del Rio: No actual involvement with that inmate though.

Stunson: You ever had words with him or rolled him up or anything?

Del Rio: No, I've seen him before though, because I recognized the Norwalk tattoo he has on his, on his stomach.

Stunson: Okay.

Johnson: Did he say anything at all at any point in time during this whole thing? Did he say anything while he was striking out or?

Del Rio: I mean he was, I don't recall what he said, but he was mumbling things. I think he was really drunk. This thing happened so, I didn't understand what he was saying.

Stunson: I don't have anything else. With that we'll go ahead and we'll end the interview. The time is 03:07 hours.

DEPUTY [redacted] INTERVIEW

Stunson: We're being recorded. This is Sergeant Dave Stunson. The time is 0317 hours. It's December 8th, 2008. We're still here at Twin Towers on the fourth floor in the sergeants' office and my partner is Sergeant Roosevelt Johnson and also in attendance observing is Lieutenant Rod Kusch, and we are here interviewing Senior Deputy [redacted], and [redacted] would you please state your full name and spell your last name for me please?

[redacted] First name is [redacted].

Stunson: And what's your employee number [redacted]?

[redacted] [redacted]

Stunson: And then before we went on recording I had you take a look at this admonition for administrative rights for force/shooting review and did you have a chance to read the form?

[redacted] Yes sir.

Stunson: You have any questions about it?

[redacted] No sir.

Stunson: And can you tell us about the use of force that occurred last night on December 7th, around, we're told it was about 2220 hours.

[redacted] 2220, I believe, 2215 for me, just because I was on my computer at the time.

Stunson: Okay.

[redacted] When I heard 415 deputy involved in B pod, in 242.

Stunson: And where were you at this time?

[redacted] I was in my office actually next door, the mezzanine level.

Stunson: And then once you heard that, what did you do and see?

[redacted] I responded. The door was open, so I just went down the stairs and went right to B pod and the B pod door was open. So as I entered the pod, I saw cell number A door wide open. At that time I saw an inmate wearing a white shirt and looked like boxer shorts, on top of a deputy. The deputy was on his back (refer to **Exhibit C, photograph, figure 4**).

Stunson: And what did you see and do then?

[redacted] Well, when I entered the cell I told, it was [Inmate] Valdivia, come to find out, to stop fighting, to stop what he was doing and he wasn't doing it. He kept on swinging towards [Deputy] Delrio.

Stunson: Swinging?

[redacted] Swinging towards his head area.

Stunson: Was he swinging, what was he swinging hands or?

[redacted] Hands.

Stunson: Go ahead.

[redacted] And [Deputy] [redacted] was, it looked like he had a bear hug on the lower part of Valdivia's legs or torso area.

Stunson: What was the inmate doing, was he doing anything with his legs?

[redacted] Really he was kicking or moving. It was, he was moving both his arms and his legs, what I saw, as almost to try to corral them, try to hold him down to stop what he was doing.

Stunson: And what was he, what could you see he was doing, the inmate?

[redacted] He was swinging both his hands and lowering his head as he's doing so.

Stunson: Hands of fists?

[redacted] Fists.

Stunson: Okay.

[redacted] Arms, and he's lowering his head towards the crotch area of Delrio and I stood above him and I see his mouth open and I thought he was going to bite his leg or

the groin area, his actual extremities. What it looked like to me and I saw that, I know Delrio saw it at the same time. He struck him in the head with a flashlight and I hit him three or four, four times in the, I would say the love handle area or lower, left side and once we did that, the second time Delrio hit him is when he stopped and we, we got him handcuffed.

Stunson: Okay.

[redacted] It happened so quick.

Stunson: When you saw the Inmate Valdivia swinging his fists, was he connecting at all?

[redacted] I didn't know if he was connecting. I was concentrating on when I saw him going down lower, I saw what he was trying to do and I saw his mouth and there was grimacing in pain or his mouth was open, it was open towards Delrio's groin and at that time I seen Delrio hit him on top of the head and I started to hit him on the left side to knock the wind out of him. At least to get him to where he would stop.

Stunson: What did it appear the inmates' motives were when he was down there with his mouth either open or grimacing down by Delrio's groin?

[redacted] I thought he had potential being his past history, he was going to try to bite him.

Stunson: Bite Delrio?

[redacted] Yeah, I worked the floor, I normally worked the floor on days. I know Valdivia's history with us has been violent and I know that he's capable of doing something significant, harmful-wise to a deputy if he has a chance. So it wouldn't, I'll say surprise me, if he tries to do something like that and get a death grip on his groin area or his penis and then continue to clamp down on it until we stopped him.

Stunson: How many times do you think Valdivia swung his arms? I take it swinging them towards Deputy Delrio?

[redacted] Yes.

Stunson: Do you remember how many times he was swinging his fists?

[redacted] I'm going to say approximately four, three to four.

Stunson: Okay.

[redacted] I can remember he was on the ground.

Stunson: And once you got there, when you rolled up on the situation, you'd indicated Delrio was already on his back.

[redacted] On his back, yes.

Stunson: And then I guess after Deputy [redacted] was bear hugging the inmate's legs and after you used your flashlight on him, how many times?

[redacted] Four, about four times.

Stunson: About four times?

[redacted] Yes.

Stunson: And then you said you saw Delrio use his flashlight.

[redacted] Right.

Stunson: How many times did Delrio use his flashlight to strike the inmate?

[redacted] I seen him twice, at least two.

Stunson: Two times, and where did those blows hit?

[redacted] Top portion of his head.

Stunson: Okay.

[redacted] And towards the back area.

Stunson: Okay.

[redacted] I'd say on top of the cranium.

Stunson: Did the blows that Delrio used on the inmate, did it have any effect on the inmate?

[redacted] The second one did.

Stunson: What did it cause the inmate to do?

[redacted] Caused him to stop, his mouth kind of closed and then he, his arms kind of went limp and to where he was handcuffed.

Stunson: And who handcuffed him?

[redacted] I believe it was [Deputy] [redacted] handcuffed him and we lifted him up and I gave him to a deputy to take out.

Stunson: After he was handcuffed?

[redacted] After he was handcuffed. I had to take him, I didn't escort him out. I was still in the cell and then I brought Rios up and I looked at him, told him he was okay and then there was another inmate [[redacted] Bkg. # [redacted]] in the corner that wasn't fighting and we told him to leave the cell. We all subsequently left the cell.

Stunson: Did you get injured at all?

[redacted] No, I didn't sir.

Stunson: And at that time could you tell if inmate Valdivia was injured?

[redacted] I could tell he was. He was bleeding at the top of his head.

Stunson: Okay.

[redacted] I saw blood on top of his head.

Stunson: Was it the top of the back of his head?

[redacted] I remember the top.

Stunson: Okay.

[redacted] It may have smeared a little bit, but I know it was on the top.

Stunson: Now, aside from yourself and Deputy Delrio and Deputy [redacted] bear hugging the legs, did you see anybody else use any kind of force?

[redacted] I didn't see anybody else, other than us three.

Stunson: And then [redacted] you believe it might have been [redacted] when he handcuffed the inmate?

[redacted] Yeah, when he handcuffed.

Stunson: Did the inmate go along with that or was it a struggle for [redacted] to handcuff him, do you remember?

[redacted] No, he went along with it and as we got let out of his cell, then he started being somewhat resistive when the rest of the inmates saw what happened. Then he became combative and started verbally being you know, wanting a fight and so forth.

Stunson: Now, when did, when you ran up to the incident and Delrio was on his back and the inmate was on top of him, what was their position at that point? Where were they and in relation to the cell A doorway?

[redacted] It was inside the cell just adjacent to the lower bunk. It was I would say maybe five feet inside the cell.

Stunson: From that position, could inmates, any other cells actually view what was going on or do you think they could just hear it?

[redacted] No, they could just hear it.

Stunson: Okay.

[redacted] Everyone else was locked down I know that, because when I went inside the cell they were yelling through their doors. They couldn't see what was happening inside cell A. I actually entered it and I know they couldn't have seen or known, inmates could have saw what had happened.

Stunson: Were any other deputies that were in the cell when you ran up on it, were they yelling any commands at inmate Valdivia?

[redacted] I remember there were commands that were being yelled at another inmate also that was in the corner, to not get up and get involved and we're both yelling commands. Commands were yelled at the one that was in the corner that didn't fight. He was already handcuffed, I remember that and for Valdivia to stop.

Stunson: What was inmate Valdivia, was he, did he appear to be under the influence of anything?

[redacted] I couldn't tell at that moment. I know he's, there was an incident last October where it had happened where he was under the influence of pruno and he was really being combative. He wouldn't say anything at the time, other than fighting. So I didn't know, I didn't smell anything at the time, any pruno.

Stunson: Now, typically, do you work this floor?

[redacted] Yes sir.

Stunson: Usually?

[redacted] Yes.

Stunson: And when they go into do, I don't know, take away excess linens or cell searches or whatever, typically how many deputies are involved in that and do they ever, are they required to have a supervisor present?

[redacted] Typically there is three deputies, two to three, depending on the shift. In day shift we have more deputies usually a floater and generally they advise me they're going to search. However they don't, when we do a pod search of all inmates, multiple inmates, I'm usually present for that.

Stunson: Okay.

[redacted] But for one cell at a time, for a general search for, they generally do not call me for that.

Stunson: Okay.

[redacted] But for when multiple inmates are involved, where we got to take them to the outdoor rec, then they call me.

Stunson: It's more of an operation then right?

[redacted] Pretty much.

Stunson: Larger operation.

[redacted] Or when canine comes over, then I'm always there for that.

Stunson: And did they tell you after this incident that either one of these inmates were recalcitrant towards the deputies before they opened the door to go in?

[redacted] No, they didn't say they were recalcitrant.

Stunson: Okay.

[redacted] They were mouthy, but they're always seem to be somewhat mouthy in a sense.

Stunson: Okay.

[redacted] That's how they are, but you know, he didn't mention to me they were recalcitrant at all.

Stunson: Roosevelt?

Johnson: Did you have a Taser on you at all?

[redacted] I didn't sir, no, I did not have one.

Johnson: What about O.C. spray?

[redacted] No sir.

Johnson: You said something about the guy having, he had, obviously he's had some contacts with deputies in the past.

[redacted] Yes sir.

Johnson: You know his security level by chance?

[redacted] He's level nine, black box.

Johnson: I mean does, based on the fact that you say he's had some prior contacts and some altercations with deputies, does he have any kind of special handle on him in particular in terms of you know, obviously the deputies are required to have a supervisor present?

[redacted] No sir, nothing like that. Other than the black box, level nine status, there's no other required supervisor escort with him. Not Valdivia or his cell mate.

Johnson: That cell, the cell that they were, you guys were in and you know, force is being used, it's kind of a pretty small confined space. Is there any possibility that he could have struck his head on that bunk in that cell during the course of the wrestling?

[redacted] It's a possibility yes, due to the space where it's at, it could of.

Johnson: Okay.

[redacted] But it's so compacted and small (refer to **Exhibit C**, photographs).

Johnson: When you went into the cell, obviously you said they were already in the cell, they were on the floor wrestling, how close to the bunk were they?

[redacted] They were right next to the bunk.

Johnson: Okay.

[redacted] They were on the floor, less than an arms reach from the bunk. They were on the, right next to it.

Stunson: From the time you walked up or ran up on the incident, it had already been going?

[redacted] It was fluid.

Stunson: Right, because they had put it out over the radio. Once you got there until they actually got him handcuffed and walked him out of the cell, how long is that?

[redacted] It was less than a minute. I'd say, if I could give you the best guess that I would give, it would probably be fifteen and twenty seconds, maybe.

Stunson: Also, did you notice any kind of marks of injuries of any kind on Deputy Delrio?

[redacted] He had a bump or a knot on his, I believe it's his right eye, above it. A purple, it was purple and red (refer to **Exhibit C**, photographs).

Stunson: Anything low on his face?

[redacted] I didn't see anything lower. I focussed on the knot on his head.

Stunson: Okay.

[redacted] It got my attention.

Stunson: Alright. [redacted] do you have anything else that we didn't draw out that you think might be important to mention in understanding the incident, for somebody that might review the case file?

[redacted] No sir, I think I covered everything I could think of.

Stunson: Alright, with that we'll go ahead and we'll go off recording. The time is 0332 hours.

DEPUTY [redacted] INTERVIEW

Stunson: We're being recorded. This is Sergeant Dave Stunson, my partner is Roosevelt Johnson and this is December 8th, 2008, and the time is 03:54 hours. Also in the room is Lieutenant Rod Kusch, and we are now speaking with Deputy [redacted] and Deputy [redacted] would you please state your full name, spell your last name and include your employee number please.

[redacted] [redacted]. Employee numbers of [redacted].

Stunson: Thank you. And it's our understanding that there was a use of force that occurred last night about 2220 hours approximately.

[redacted] Yes.

Stunson: Involving some inmate named Valdivia?

[redacted] Valdivia, yes sir.

Stunson: And you had some sort of involvement or had some sort of observations. Can you tell us what happened, what you saw, what you did and what you saw other employees do? Paying particular attention to tell us what kind of force was used.

[redacted] Well while escorting Inmate Valdivia back into –

Stunson: Can you start out before that? How did you get in the pod and so forth.

[redacted] We were just doing a random cell search and we chose B pod. So we –

Stunson: Did somebody tell you it was random or did they say there was a reason for it?

[redacted] For the most part it was random. We like to do searches, a couple searches every night. So we chose cell 8, and they were both completely cooperative.

Stunson: Uh huh.

[redacted] They, because they're Level 9, Gang Module, we, the policy is we have to cuff them whenever they're outside. So we cuffed them and we sat them on the spider tables. While [Witness} Deputy [redacted] was providing security

outside, me and Deputy Del Rio were inside the cell just searching for contraband, anything that's not supposed to be there. Once we completed that task, we –

Stunson: Did you guys find any contraband?

[redacted] Yes, minor, minor stuff. Extra clothing, extra food.

Stunson: What kind of food items?

[redacted] Apples. We found a lot of apples, we found the remaining mush of pruno, which is a jailhouse made alcoholic beverage.

Stunson: Did it smell like it had been fermenting at all?

[redacted] Yeah, it did.

Stunson: So kind of rotten smelling?

[redacted] It did. So we discarded that and we were, I called inmate [redacted] up first, uncuffed him, ordered him to sit on top of the top bunk. He complied with no problem. Inmate Valdivia, he was next. He, you could tell by his body language he had an attitude. He, when I was escorting him back to the cell, I saw that his eyes were a little bloodshot and his pupils were dilated. I also smelled the smell of pruno coming from his mouth and just his body. At that point I was, I uncuffed him, both of the cuffs were off. He ended up turning, taking a swing at my partner Deputy Del Rio.

Stunson: Where were your handcuffs when, after you took them off?

[redacted] I placed them inside my waistband.

Stunson: Is that when this thing popped off, as you're putting it in your waistband?

[redacted] Immediately sir.

Stunson: Okay.

[redacted] As soon as his hands were free, he went like that. He turned around, a quick spin, took a swing at my partner and then I also engaged.

Stunson: Where were you and Del Rio when this inmate did this?

[redacted] We were side by side.

Stunson: And where were you in relation to the open doorway?

[redacted] Right under the door (refer to **Exhibit C, photographs, figures 2 - 6**).

Stunson: Right in the doorway?

[redacted] Yeah, like by the door sir.

Stunson: Okay.

[redacted] And he swung at my partner.

Stunson: What, how did he accomplish swinging at your partner?

Johnson: Hold on one second (loud speaker in the background).

Stunson: Did, how did he, you said turn and start swinging, briefly?

[redacted] I looked down to my waistband just to drive my cuffs into my belt.

Stunson: Right.

[redacted] Simultaneously he turned.

Stunson: How did he turn, to his left or his right? Do you remember?

[redacted] Sir I can't, I don't know.

Stunson: Okay.

[redacted] That's when my head was down. I just kind of, through the corner of my eye seen his fist come over and then –

Stunson: Do you remember if he was swinging with his left fist or his right fist?

[redacted] It was his right.

Stunson: Right, okay.

[redacted] He's attacking Del Rio. So I intervene. So I, when I failed to tell Sergeant Chaffin was I took two swings with my right fist to the right side of inmate Valdivia's face and I got spun around. My body now, my back facing the inmate that's laying on top. Through the corner of my eye I see him jump off his bunk,

turn towards us. I knew that Deputy [redacted] was assisting Deputy Del Rio. I turned my attention to the inmate that just jumped off his bunk.

Stunson: What did he look like, what were you thinking he was going to do?

[redacted] I thought he was immediately assaultive.

Stunson: You thought he was going to –

[redacted] I thought, yes sir, I thought there was only one reason he was coming down.

Stunson: You thought he was going to join in?

[redacted] Yes sir.

Stunson: Okay.

[redacted] B pod is the gang module. They're known to stick together. Turned around, gave him my attention, ordered him to lay on the ground, put his hands behind his back. He complied. I cuffed him. As soon as I felt like he was out of my threat, out of our threat, turned my attention back to inmate Valdivia.

Stunson: How long did it take you to do that?

[redacted] Sir –

Stunson: I mean did he hesitate or did he go right down on the ground, the other inmate?

[redacted] The inmate on top?

Stunson: Yeah, the one that came down and jumped off the top of the bunk. When you said, "Hey, get on the ground and put your –

[redacted] He landed on his feet, he looked, we looked at each other and I said, "Get down on the ground." He complied. So there was a slight pause from him just standing there.

Stunson: So do you think ten, fifteen seconds to get him hooked up and get back to the scenario with the assaultive inmate?

[redacted] About sir, yeah, I think.

Stunson: So once you hooked the other guy up that was on the ground, then what's going on, what do you see?

[redacted] Turn my attention to Inmate Valdivia. He's actually on top of Deputy Del Rio. [redacted] is by the feet area.

Stunson: Were they standing when you diverted off to deal with the second inmate?

[redacted] Yes.

Stunson: And did you see how they went down?

[redacted] No, my back was completely turned away.

Stunson: So when you turned back around to assist your other two deputies with the assaultive inmate, they're on the ground and Del Rio's on his back and the inmate is on top of him?

[redacted] Correct.

Stunson: And what do you see?

[redacted] I see, actually I see Senior [redacted] assisting and gaining control of inmate Valdivia. I see him give several, three to four strikes with his flashlight to like the side of his, the lower side of his back. At that point I jumped in and tried to secure his arms, Valdivia's arms. With the assistance of [redacted] we gained control of his arms, placed them behind his back and cuffed him. And at that point both the inmates were cuffed and we escorted them to the staging area.

Stunson: What kind of force did you see, besides Senior [redacted], did you see the other two deputies use, [redacted] and Del Rio?

[redacted] My, I sort of got tunnel, I got tunnel vision as far as when I looked up, all I seen was [redacted] going like that you know, in this kind of motion like this. Swinging motion.

Stunson: And because this is being recorded, what, describe that.

[redacted] Like if, like if he was punching the side of his back, but I seen he had a flashlight.

Stunson: Were those flashlight strikes hitting the back of the inmate?

[redacted] Yes sir.

[redacted]

Stunson: Were they having any effect?

[redacted] No, he was fighting till he was cuffed.

Stunson: And how many times did you think Senior [redacted] struck the guy with his flashlight?

[redacted] Three or four times.

Stunson: Three or four times, okay. And maybe I missed it, but did you see [redacted] or Del Rio using any force?

[redacted] I know they did, but I, with my eyes I didn't, obviously they were in the fight. I didn't see [redacted] take any swings and Del Rio I knew he was fighting, he was trying to fight, fight him off his back. I didn't see anything, like fist contact or anything.

Stunson: Now, you describe Del Rio on his back. Where was [redacted] and what was, could you see what he was doing?

[redacted] No. I knew where he was, but I couldn't see.

Stunson: Where was he?

[redacted] I knew he, I knew he went for like the feet area. Like, he was over there. I seen a body over there. I knew it was [redacted] I didn't see what his hands were doing or anything like that.

Stunson: What finally got the inmates' attention and just the fire out of him?

[redacted] Just our ability to get his hands behind his back.

Stunson: But I mean do you know what caused him to stop fighting, to enable you guys to hook him up?

[redacted] No, I thought it was me and [redacted] We (unintelligible) just basically threw muscle, just muscled his arms behind his back and cuffed him.

Stunson: Did it look like inmate Valdivia was injured at all?

[redacted] When we cuffed him (unintelligible) yeah.

Stunson: What did you see?

[redacted] I seen like a half inch laceration on his head.

Stunson: Where on his head?

[redacted] I don't remember. It was bloody. I knew (unintelligible). If I remember correctly, on his left back side.

Stunson: Left back side of his head?

[redacted] Yeah (refer **Exhibit C, photographs, figures 10 & 11**).

Stunson: And did anybody say at that time or right after or since the incident, how that injury on his head occurred, the laceration on his head?

[redacted] Well I talked to my partners and you know, I know how he got it, but I didn't see it.

Stunson: What, which partner told you?

[redacted] Deputy Del Rio said that he ultimately struck him in the head with a flashlight.

Stunson: Sergeant Johnson?

Johnson: Are you injured?

[redacted] No sir.

Johnson: You carry a Taser on you, you have a Taser?

[redacted] Yes sir, I did.

Johnson: What about O.C.?

[redacted] Yes sir.

Stunson: Any chance to use those two tools?

[redacted] Too quick, it was too quick and I had too many things to worry about as far as outside person coming in, trying to attack us through the back. So no I didn't.

Stunson: Anything else? Do you have anything else that you think might be important to the case in reviewing the use of force that maybe we didn't draw out during the interview, that you want to add before we go off recording?

[redacted] No sir.

Johnson: How long have you been on the –

[redacted] [redacted] sir.

Johnson: [redacted], okay.

Stunson: You want to go ahead and wrap up the recording part> Okay. And the time is 0407 hours.

EXHIBITS

EXHIBIT A

INCIDENT REPORT

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
INCIDENT REPORT

A TRADITION OF SERVICE

DATE 12-07-08 PAGE 1 OF 5

ACTION: [X] ACTIVE [ ] INACTIVE [ ] PENDING | NON-CRIMINAL [ ] | # OF ADULT ARRESTS 0 | # OF SUBJECT DETENTIONS 0

URN # 0 (RETENTION) 08 (YEAR) 01817 (SEQUENTIAL) 5800 (REPORTING DISTRICT) 145 (STAT CODE)

CLASSIFICATION 1 / LEVEL / STATCODE: RESIST OR DETER POLICE OFFICER / 69 P.C. / F / 145

CLASSIFICATION 2 / LEVEL / STAT CODE:

CLASSIFICATION 3 / LEVEL / STAT CODE:

SEX OFFENSE VICTIM INFO? [ ] YES [X] NO

DOMESTIC VIOLENCE: [ ] NON-PERSONAL (GUN, KNIFE, ETC) [ ] PERSONAL (HANDS, FEET, FIST, ETC) INJURY [ ] Major [ ] Minor [ ] None [ ] NON-CRIMINAL

DATE, TIME, DAY OF OCCURRENCE: 12-07-08, 2220, SUNDAY

PRINTS REQUESTED [ ] COMPLETED [ ] BY: TIME:

LOC. OF OCCURRENCE: 450 BAUCHET ST. LOS ANGELES 90012

BUS. NAME: TTCF

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

CODE	# of	LNAME	FNAME	MNAME	SEX	RACE	ETHNIC ORIGIN	DOB	Age
V	1 1	DEPUTY	DEL RIO		M	H		ADULT	

RES. ADDR.: L.A. COUNTY DEPUTY SHERRIF CITY: [redacted] ZIP:

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: 1 # # # #

RES. PHONE (Area Code): – Day Phone →

BUS. ADDR.: 450 BAUCHET ST. CITY: LOS ANGELES ZIP: 90012

ENGLISH SPEAKING [X] YES [ ] NO

[redacted] Day Phone → X

CODE	# of	LNAME	FNAME	MNAME	SEX	RACE	ETHNIC ORIGIN	DOB	Age
/									

RES. ADDR. CITY ZIP | VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # # # # # | RES. PHONE (Area Code) Day Phone →

BUS. ADDR. CITY ZIP | ENGLISH SPEAKING [ ] YES [ ] NO | BUS. PHONE (Area Code) Day Phone →

CODE	# of	LNAME	FNAME	MNAME	SEX	RACE	ETHNIC ORIGIN	DOB	Age
/									

RES. ADDR. CITY ZIP | VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # # # # # | RES. PHONE (Area Code) Day Phone →

BUS. ADDR. CITY ZIP | ENGLISH SPEAKING [ ] YES [ ] NO | BUS. PHONE (Area Code) Day Phone →

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

CODE	# of	LNAME	FNAME	MNAME	DRIVER'S LICENSE (STATE & No.)
S	1 1	VALDIVIA	RAMIRO	NMN	N/A

RES. ADDR. [redacted] ZIP | RES. PHONE (Area Code): N/A

BUS. ADDR.: UNEMPLOYED CITY ZIP | BUS. PHONE (Area Code): N/A

SEX	RACE	ETHNIC ORIGIN	HAIR	EYES	HGT.	WGT.	DOB	Age
M	H	–	BLK	BRO	508	170	060681	27

CHARGE: | WHERE DETAINED OR CITE #: TTCF

AKA: – | MONIKER: – | BOOKING #: 8886221

CODE	# of	LNAME	FNAME	MNAME	DRIVER'S LICENSE (STATE & No.)
/					

RES. ADDR. CITY ZIP | RES. PHONE (Area Code)

BUS. ADDR. CITY ZIP | BUS. PHONE (Area Code)

SEX	RACE	ETHNIC ORIGIN	HAIR	EYES	HGT.	WGT.	DOB	Age

CHARGE | WHERE DETAINED OR CITE #

AKA | MONIKER | BOOKING #

VEHICLE # ___ SUSPECT # ___ VICTIM | STATUS [ ] STORED [ ] IMPOUNDED [ ] OUTSTANDING | LICENSE (STATE & No.) | YEAR | MAKE | MODEL | BODY TYPE | COLOR

REGISTERED OWNER | IDENTIFYING FEATURES | CHP 180 SUBMITTED: [ ] YES [X] NO | GARAGE NAME & PH.

BY [redacted] EMPLOYEE # [redacted] VACATION DATES: NONE | DEP. EMPLOYEE # VACATION DATES

STATION: TTCF | UNIT / CAR #: T242 | SHIFT: EM | APPROVED: SGT. William Chaff EMPLOYEE # [redacted] DATE 12-8-08 TIME 0330

VICTIM DESIROUS OF PROSECUTION [X] YES [ ] NO | ASSIGNMENT: JIU

HQ NOTIFICATION REQ: [ ] YES [X] NO DEP. DATE / TIME | SPECIAL REQUEST DISTRIBUTION

SUSP / SUBJ RELEASE APPROVED BY TIME | PCD SUBMITTED: [ ] YES [X] NO | TT B/C BY DATE TIME SECTY.

76C300F - SH-R-49 (Rev. 10/99)

DATE	TIME RECEIVED	#	URN #	PAGE
12-07-08	—	—	008-01017-5800-145	2 OF 3

INPUT / CHECKED NCIC, CII, ETC.: ☐ YES ☒ NO

EVIDENCE HELD. ☐ YES ☒ NO

EVIDENCE ENTERED IN: PATROL ______ Ledger/Page# NARCOTICS ______ Ledger/Page# SAFE ______ Ledger/Page# BY

EVIDENCE HELD:

☐ BLOOD ☐ BULLET ☐ BULLET CASING ☐ CHECKS ☐ CLOTHES ☐ CREDIT CARDS ☐ ELECTRONIC EQUIPMENT ☐ FINGERPRINTS
☐ FOOTPRINTS ☐ FRAUD DOCUMENTS ☐ GSR ☐ HAIR ☐ JEWELRY ☐ MISCELLANEOUS ☐ MONEY ☐ NARCOTICS
☐ OTHER PRINTS ☐ PAINT ☐ PHOTOGRAPHS ☐ RAPE KIT ☐ RECEIPTS ☐ TOOLS ☐ URINE ☐ VEHICLE IMPOUNDED
☐ VEHICLE PARTS ☐ WEAPONS ☐ ______

PROPERTY CODE: S – STOLEN • R – RECOVERED • L – LOST • F – FOUND • E – EMBEZZLED • D – DAMAGED • EV – EVIDENCE
(Use all applicable Codes; for example, if property is both Stolen and Recovered, Code is S/R)

RELEASED TO

CODE	ITEM #	QUAN.	DESCRIPTION (Include kind of article, trade name, identifying numbers, physical description, material, color, condition, age and present market value)	SERIAL #	VALUE

PART I STATISTICAL INFORMATION

PROPERTY

TYPE OF PROPERTY	STOLEN	RECOVERED
CLOTHING/FURS	$	$
CONSUMABLE GOODS	$	$
CURRENCY/NOTES	$	$
FIREARMS	$	$
HOUSEHOLD GOODS	$	$

TYPE OF PROPERTY	STOLEN	RECOVERED
JEWELRY	$	$
LIVESTOCK	$	$
LOCAL STOLEN VEHICLES	$	$
MISCELLANEOUS	$	$
OFFICE EQUIPMENT	$	$
TV/RADIO/STEREO	$	$

VICTIM OF SEX CRIMES REQUEST FOR CONFIDENTIALITY

PURSUANT TO SECTION 293(a) OF THE CALIFORNIA PENAL [illegible] THAT YOUR NAME WILL BE [illegible] MATTER OF PUBLIC RECORD UNLESS YOU REQUEST THAT IT REMAIN CONFIDENTIAL [illegible] PURSUANT TO SECTION [illegible] OF THE GOVERNMENT CODE.

I, N/A [illegible] DO NOT ELECT TO EXERCISE [illegible] TO PRIVACY

SCREENING [illegible]

YES	NO	
☒	☐	1. SUSPECT IN CUSTODY
☐	☐	2. SUSPECT NAMED/KNOWN
☐	☐	3. UNIQUE SUSPECT IDENTIFIERS
☐	☐	4. VEHICLE IN CUSTODY
☐	☐	5. UNIQUE VEHICLE IDENTIFIERS
☐	☐	6. WRITER/REVIEWER DISCRETION

7. GENERAL SUSPECT DESCRIPTION
8. GENERAL VEHICLE DESCRIPTION
9. UNIQUE M.O. OR PATTERN
10. SIGNIFICANT PHYSICAL EVIDENCE
11. TRACEABLE STOLEN PROPERTY
12. MULTIPLE WITNESSES

REPORT CONTINUATION NARRATIVE | URN 008-01817-5800-145

ON THE ABOVE INDICATED DATE AND TIME, WE CONDUCTED A RANDOM CELL SEARCH OF B-8 IN MODULE 242.

UPON CONCLUSION OF OUR CELL SEARCH, V/DEPUTY DELRIO # [redacted], DEPUTY [redacted] # [redacted] AND I ESCORTED INMATE [redacted] BKG # [redacted] BACK TO HIS ASSIGNED CELL I UNCUFFED INMATE [redacted] AND ORDERED HIM TO LAY FACE DOWN ON THE TOP BUNK. HE COMPLIED WITH MY ORDERS.

WHILE ESCORTING S/VALDIVIA BACK TO HIS ASSIGNED CELL, I NOTICED HIS PUPILS WERE DIALATED AND HAD A SMELL OF PRUNO (JAIL MADE ALCOHOLIC BEVERAGE) EMITTING FROM HIS MOUTH AND PERSON.

IMMEDIATLY AFTER UNCUFFING BOTH HIS WRISTS, S/VALDIVIA QUICKLY TURNED AROUND AND SWUNG WITH HIS RIGHT FIST AT V/DEPUTY DEL RIO'S FACE. I THEN SWUNG AND STRUCK S/VALDIVIA TWICE ON THE RIGHT SIDE OF HIS FACE WITH MY RIGHT FIST.

WHILE ATTEMPTING TO GAIN CONTROL OF S/VALDIVIA, I SAW INMATE [redacted] JUMP

REPORT CONTINUATION NARRATIVE | URN 008-01817-5800-145

OFF OF THE TOP BUNK AND SQUARE HIS BODY TOWARDS V/DEPUTY DEL RIO AND MYSELF. I THEN TURNED AND ORDERED INMATE [redacted] TO THE GROUND AND PUT HIS HANDS BEHIND HIS BACK. HE COMPLIED AND I HANDCUFFED HIM WITHOUT FURTHER INCIDENT.

I TURNED MY ATTENTION BACK TO V/DEPUTY DEL RIO AND S/VALDIVIA. I SAW S/VALDIVIA ON TOP OF V/DEPUTY DEL RIO ON THE GROUND. I SAW SENIOR [redacted] # [redacted] STRIKE S/VALDIVIA ON HIS LOWER BACK AND SIDE APPROXIMITLY THREE TO FOUR TIMES WITH HIS DEPARTMENT APPROVED FLASHLIGHT

I ASSISTED V/DEPUTY DEL RIO AND SENIOR [redacted] WITH GAINING CONTROL OF S/VALDIVIA. WITH THE ASSISTANCE OF DEPUTY [redacted] # [redacted] I GAINED CONTROL OF BOTH S/VALDIVIA'S ARMS AND PLACED THEM BEHIND HIS BACK. I THEN HANDCUFFED S/VALDIVIA WITH NO FURTHUR INCIDENT.

S/VALDIVIA WAS ESCORTED TO THE T242 STAGING AREA BY V/DEPUTY DEL RIO AND DEPUTY [redacted]. INMATE [redacted] WAS ESCORTED TO INMATE VISITING

REPORT CONTINUATION NARRATIVE | URN 008-01817-5800-145

BY DEPUTY VROSS [redacted]

S/VALDIVIA WAS TREATED BY THE TOWER II NURSING STAFF (SEE ATTACHED INMATE INJURY REPORT). S/VALDIVIA WAS TRANSPORTED TO LCMC FOR FURTHUR MEDICAL TREATMENT. INMATE VALDEZ DID NOT COMPLAIN OF ANY INJURIES OR PAIN.

I SEARCHED THE POD FOR WITNESSES AND/OR EVIDENCE AND WAS MET WITH NEGATIVE RESULTS DUE TO ALL THE INMATES WERE LOCKED DOWN AND ARE UNABLE TO VIEW INSIDE THE CELL.

PHOTOGRAPHS WERE TAKEN OF DEPUTY DELRIO'S FACE DUE TO THE REDNESS AND SWELLING OF THE RIGHT SIDE OF HIS FOREHEAD. SGT CHAFFIN # [redacted] STATED HE WOULD ELECTRONICALLY MAIL THE PHOTOGRAPHS TO THE INTERNAL AFFAIRS BUREAU INVESTIGATORS.

I NOTIFIED SGT CHAFFIN AT APPROXIMITLY 2225 HOURS OF THE INCIDENT.

I NOTIFIED SGT. REDDINGTON # [redacted] OF JAIL INVESTIGATIVE UNIT AT 2245 HOURS OF THE INCIDENT

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
CRIME ANALYSIS SUPPLEMENTAL FORM -- SUSPECT / SUBJECT INFORMATION

URN 008-01817-5800-145

BY DEP [redacted] EMPLOYEE # [redacted]

~~SUSPECT~~ / SUBJECT # 1 NAME I/M VALDIVIA BKG#8886221 SUSPECT / SUBJECT # ____ NAME ____

CLOTHING DESCRIPTION

ITEM TYPE	DESCRIPTION
SHIRT	L.A. COUNTY ISSUED
	BLUE SHIRT.
PANTS	L.A. COUNTY ISSUED
	BLUE PANTS

ITEM TYPES: CAP / HAT, COAT / JACKET, DRESS / SKIRT, GLASSES, GLOVES, JEWELRY, PANTS, SHIRT / BLOUSE, SHOES, SHORTS, OTHER

CLOTHING DESCRIPTION

ITEM TYPE	DESCRIPTION

L	R	UNK	BODY PART	SCARS / MARKS / TATTOOS / ODDITIES

☐ SUSPECTED GANG MEMBER NAME OF GANG

L	R	UNK	BODY PART	SCARS / MARKS / TATTOOS / ODDITIES

☐ SUSPECTED GANG MEMBER NAME OF GANG

HAIR LENGTH
- ☐ ☐ COLLAR
- ☐ ☐ LONG
- ☒ ☐ SHORT
- ☐ ☐ SHOULDER
- ☐ ☐ ____

HAIR TYPE
- ☐ ☐ BALD
- ☐ ☐ RECEDING
- ☒ ☐ THICK
- ☐ ☐ THINNING
- ☐ ☐ WIG
- ☐ ☐ ____

HAIR STYLE
- ☐ ☐ AFRO / NATURAL
- ☐ ☐ BRAIDED / DREDLOCKS
- ☐ ☐ BUSHY
- ☐ ☐ BUTCH
- ☐ ☐ COMBED BACK
- ☐ ☐ CURLERS
- ☐ ☐ CURLY
- ☐ ☐ FLAT TOP
- ☐ ☐ GREASY
- ☐ ☐ JHERI CURL
- ☐ ☐ MILITARY
- ☐ ☐ NETS
- ☐ ☐ PONY TAIL
- ☐ ☐ PROCESSED
- ☐ ☐ PUNK
- ☐ ☐ SHAVED
- ☒ ☐ STRAIGHT
- ☐ ☐ WAVY
- ☐ ☐ ____

COMPLEXION
- ☐ ☐ ACNE / POCKED
- ☐ ☐ ALBINO
- ☐ ☐ DARK
- ☐ ☐ FRECKLED
- ☐ ☐ LIGHT / FAIR
- ☒ ☐ MEDIUM
- ☐ ☐ PALE
- ☐ ☐ RUDDY
- ☐ ☐ SALLOW
- ☐ ☐ TANNED
- ☐ ☐ WEATHERED
- ☐ ☐ WRINKLED
- ☐ ☐ ____

FACIAL HAIR
- ☐ ☐ BEARD
- ☒ ☐ CLEAN SHAVEN
- ☐ ☐ FUZZ
- ☐ ☐ GOATEE
- ☐ ☐ LOWER LIP
- ☐ ☐ MOUSTACHE
- ☐ ☐ SIDE BURNS
- ☐ ☐ UNSHAVEN
- ☐ ☐ ____

TEETH
- ☐ ☐ BROKEN / CHIPPED
- ☐ ☐ BRACES
- ☐ ☐ BUCK
- ☐ ☐ CROOKED
- ☐ ☐ DECAYED
- ☐ ☐ FALSE
- ☐ ☐ GAP / SPACE
- ☐ ☐ GOLD CAP
- ☐ ☐ JEWELED
- ☐ ☐ MISSING
- ☐ ☐ NONE
- ☐ ☐ SILVER CAP
- ☒ ☐ STAINED
- ☐ ☐ ____

SPEECH
- ☐ ☐ ACCENT
- ☐ ☐ DISGUISE
- ☐ ☐ LISPS
- ☐ ☐ MUMBLES
- ☐ ☐ RAPID
- ☐ ☐ RASPY
- ☐ ☐ SLOW
- ☒ ☐ SLURRED
- ☐ ☐ STUTTER
- ☐ ☐ ____

HANDED
- ☐ ☐ LEFT
- ☒ ☐ RIGHT
- ☐ ☐ BOTH

WEAPON
FIREARM

Style:
- ☐ ☐ MULTIPLE
- ☐ ☐ BB / PELLET
- ☐ ☐ HANDGUN
- ☐ ☐ RIFLE
- ☐ ☐ SAWED-OFF
- ☐ ☐ SHOTGUN
- ☐ ☐ SIMULATED
- ☐ ☐ ZIP GUN
- ☒ ☐ N/A

Action:
- ☐ ☐ DERRINGER
- ☐ ☐ FULLY AUTO
- ☐ ☐ PUMP
- ☐ ☐ REVOLVER
- ☐ ☐ SEMI AUTO
- ☐ ☐ SINGLE SHOT
- ☐ ☐ N/A

Barrel Type:
- ☐ ☐ SINGLE BARREL
- ☐ ☐ DOUBLE BARREL
- ☐ ☐ THREE BARREL
- ☐ ☐ 4 OR MORE BARREL
- ☐ ☐ N/A

Color / Finish:
- ☐ ☐ BLUE STEEL
- ☐ ☐ CHROME / NICKEL
- ☐ ☐ DULL BLACK
- ☐ ☐ RUSTED
- ☐ ☐ STAINLESS STEEL
- ☐ ☐ N/A

Grip / Stock:
- ☐ ☐ ALTERED
- ☐ ☐ BONE / PEARL / IVORY
- ☐ ☐ COLLAPSES / FOLDS
- ☐ ☐ METAL / PLASTIC
- ☐ ☐ NO GRIP
- ☐ ☐ RUBBER / VINYL
- ☐ ☐ TAPED
- ☐ ☐ THUMB HOLE
- ☐ ☐ WOOD
- ☐ ☐ N/A
- ☐ ☐ GAUGE ____ / ____
- ☐ ☐ CALIBER

KNIFE
Style:
- ☐ ☐ MULTIPLE
- ☐ ☐ BUCK
- ☐ ☐ BUTCHER / KITCHEN
- ☐ ☐ DIRK / DAGGER / STILETTO
- ☐ ☐ HUNTING / BOWIE
- ☐ ☐ SIMULATED
- ☐ ☐ SWITCHBLADE
- ☐ ☐ TOY
- ☐ ☐ N/A

Blade:
- ☐ ☐ FIXED
- ☐ ☐ FOLDING

CHEMICAL
- ☐ ☐ CAUSTIC
- ☐ ☐ INFECTIOUS
- ☐ ☐ MACE
- ☐ ☐ PEPPER SPRAY
- ☐ ☐ SIMULATED
- ☐ ☐ TEAR GAS
- ☐ ☐ TOXIC
- ☐ ☐ N/A

BLUNT INSTRUMENT
- ☐ ☐ BASEBALL BAT
- ☐ ☐ BILLY CLUB
- ☐ ☐ BRASS KNUCKLES
- ☐ ☐ BRICK / ROCK / BOTTLE
- ☐ ☐ CLUB / BLUDGEON
- ☐ ☐ HAMMER / TOOL
- ☐ ☐ NUNCHAKUS
- ☐ ☐ TIRE IRON
- ☐ ☐ N/A

CUT / STAB
- ☐ ☐ BAYONET / SWORD
- ☐ ☐ BOTTLE / GLASS
- ☐ ☐ ICE PICK
- ☐ ☐ MACHETE
- ☐ ☐ RAZOR
- ☐ ☐ SCREWDRIVER
- ☐ ☐ THROWING STARS
- ☐ ☐ N/A

EXPLOSIVE / INCENDIARY
- ☐ ☐ FIREWORKS
- ☐ ☐ MOLOTOV COCKTAIL
- ☐ ☐ ____

OTHER WEAPON
- ☐ ☐ BODILY FORCE
- ☐ ☐ LIGATURE
- ☐ ☐ SLING SHOT
- ☐ ☐ SYRINGE
- ☐ ☐ TASER / STUN GUN
- ☐ ☐ N/A

RELATIONSHIP OF VICTIM TO SUSPECT:
- V#____ V#____ ACQUAINTANCE
- V#____ V#____ BABYSITTEE (PERSONS WATCHED / BABY)
- V#____ V#____ BOYFRIEND / GIRLFRIEND
- V#____ V#____ CHILD
- V#____ V#____ CHILD OF BOYFRIEND OR GIRLFRIEND
- V#____ V#____ COMMON - LAW SPOUSE
- V#____ V#____ EMPLOYEE
- V#____ V#____ EMPLOYER
- V#____ V#____ EX - SPOUSE
- V#____ V#____ FRIEND
- V#____ V#____ GRANDCHILD
- V#____ V#____ GRANDPARENT
- V#____ V#____ HOMOSEXUAL RELATIONSHIP
- V#____ V#____ IN - LAW
- V#____ V#____ NEIGHBOR
- V#____ V#____ OTHER FAMILY MEMBER
- V#____ V#____ OTHERWISE KNOWN
- V#____ V#____ PARENT
- V# X V#____ RELATIONSHIP UNKNOWN
- V#____ V#____ SIBLING (BROTHER OR SISTER)
- V#____ V#____ SPOUSE
- V#____ V#____ STEPCHILD
- V#____ V#____ STEPPARENT
- V#____ V#____ STEPSIBLING (STEPBROTHER OR STEPSISTER)
- V#____ V#____ VICTIM WAS OFFENDER

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

CRIME ANALYSIS SUPPLEMENT FORM -- M. O. FACTORS

URN OC 01817-5800-145

AREA

- [ ] AIRPORT
- [ ] BEACH / OCEAN
- [ ] COMMERCIAL
- [ ] CONSTRUCTION SITE
- [ ] DESERT
- [ ] DRIVEWAY
- [ ] FREEWAY / HIGHWAY
- [ ] GOLF COURSE
- [ ] HARBOR
- [x] INDUSTRIAL / WHOLESALE
- [ ] MOUNTAINS / FOOTHILLS
- [ ] PARK
- [ ] RESIDENTIAL
- [ ] RIVER
- [ ] RURAL / ISOLATED
- [ ] SCHOOL GROUNDS
- [ ] SHOPPING CENTER
- [ ] SIDEWALK
- [ ] STREET / ALLEY
- [ ] TRAIN RIGHT-OF-WAY / TRACKS
- [ ] VACANT LOT / OPEN FIELD
- [ ] WATER / LAKE
- [ ] ______

STRUCTURE: RESIDENTIAL

- [ ] APARTMENT
- [ ] CONDOMINIUM / TOWNHOUSE
- [ ] CONVALESCENT HOSPITAL
- [ ] DUPLEX
- [ ] MOBILE HOME
- [ ] SINGLE FAMILY
- [ ] VESSEL / BOAT
- [x] N/A

STRUCTURE: NON - RESIDENTIAL

- [ ] BANK / FINANCE
- [ ] BAR
- [ ] BUSINESS OFFICE
- [ ] CARGO CONTAINER
- [ ] CATERING TRUCK
- [ ] ENTERTAINMENT / RECREATION
- [ ] FAST FOOD
- [ ] GAS STATION
- [ ] HOSPITAL
- [ ] HOTEL / MOTEL
- [ ] INDUSTRIAL / MANUFACTURING / WAREHOUSE
- [x] JAIL / PRISON
- [ ] JEWELRY / COIN / PAWN
- [ ] LIQUOR
- [ ] MARKET
- [ ] MINI MART
- [ ] NURSING FACILITY
- [ ] PARKING LOT / STRUCTURE
- [ ] PASSENGER STATION / PLATFORM (PAX)
- [ ] PHARMACY / MEDICAL / DENTAL
- [ ] PUBLIC BUILDING
- [ ] RELIGIOUS BUILDING
- [ ] RESTAURANT
- [ ] RETAIL GOODS
- [ ] RETAIL SERVICE / REPAIR
- [ ] SCHOOL
- [ ] STORAGE / RENTAL
- [ ] TRAIN - FREIGHT
- [ ] TRAIN - PASSENGER - LIGHT RAIL
- [ ] TRAIN - PASSENGER - HEAVY RAIL
- [ ] VEHICLE - COMMERCIAL
- [ ] VESSEL / BOAT
- [ ] VIDEO / MUSIC
- [ ] ______

TARGET: RESIDENTIAL

- [ ] ATTIC
- [ ] BEDROOM
- [ ] DINING ROOM
- [ ] GARAGE / PARKING AREA
- [ ] HALLWAY
- [ ] KITCHEN
- [ ] LAUNDRY ROOM
- [ ] LIVING / FAMILY ROOM
- [ ] MAIL BOX
- [ ] PATIO / PORCH
- [ ] SAFE / BOX
- [ ] STORAGE / SHED
- [ ] STABLES / TACK ROOM
- [ ] VEHICLE
- [ ] N/A

TARGET: NON - RESIDENTIAL

- [ ] AUTOMATED TELLER
- [ ] CASH REGISTER / DRAWER
- [ ] CLASSROOM / SUPPLIES
- [ ] COIN OP MACHINE
- [ ] DISPLAY ITEMS
- [ ] OFFICE
- [ ] SAFE / BOX
- [ ] SNACK BAR
- [ ] STORAGE LOCKER
- [ ] VEHICLE
- [ ] VESSEL
- [ ] BICYCLIST
- [ ] CUSTOMER
- [ ] ELDER / SENIOR CITIZEN
- [ ] DISABLED PERSON
- [ ] OWNER / EMPLOYEE
- [ ] PEDESTRIAN
- [ ] TRANSIENT
- [ ] VICTIM IN VEHICLE
- [ ] N/A

POINT OF ENTRY / EXIT

IN	EX	
[ ]	[ ]	FRONT
[ ]	[ ]	REAR
[ ]	[ ]	SIDE
[ ]	[ ]	GROUND LEVEL
[ ]	[ ]	UPPER LEVEL
[ ]	[ ]	ADJACENT BUILDING
[ ]	[ ]	BASEMENT
[ ]	[ ]	DOOR / SCREEN
[ ]	[ ]	DUCT / VENT
[ ]	[ ]	FENCE / GATE
[ ]	[ ]	FIREPLACE
[ ]	[ ]	FLOOR
[ ]	[ ]	GARAGE
[ ]	[ ]	GLASS DOOR
[ ]	[ ]	HOUSE BEING FUMIGATED
[ ]	[ ]	LOUVRE
[ ]	[ ]	MAIL SLOT
[ ]	[ ]	PET DOOR
[ ]	[ ]	ROOF / SKYLIGHT
[ ]	[ ]	SLIDING GLASS DOOR
[ ]	[ ]	WALL
[ ]	[ ]	WINDOW / SCREEN
[ ]	[ ]	N/A

VEHICLE ENTRY / EXIT

IN	EX	
[ ]	[ ]	CAMPER / SHELL / MOTORHOME
[ ]	[ ]	CONVERTIBLE
[ ]	[ ]	DOOR
[ ]	[ ]	DRIVER SIDE
[ ]	[ ]	HOOD
[ ]	[ ]	PASSENGER SIDE
[ ]	[ ]	SUNROOF
[ ]	[ ]	TRUCK BED
[ ]	[ ]	TRUNK
[ ]	[ ]	WINDOW
[ ]	[ ]	WINDWING
[ ]	[ ]	N/A

METHOD OF ENTRY

- [ ] ATTEMPT ONLY
- [ ] BODILY FORCE
- [ ] CUT
- [ ] HID IN BUILDING
- [ ] KICKED
- [ ] KNOB TWIST
- [ ] LET IN / RUSE
- [ ] LOCK BOX
- [ ] LOCK CUT / BROKEN
- [ ] LOCK PUNCHED
- [ ] LOCK SLIP / KEY / PICK
- [ ] NO FORCE
- [ ] OPEN FOR BUSINESS
- [ ] OPEN / UNLOCKED
- [ ] PHONE
- [ ] PRIED
- [ ] REMOVED
- [ ] SMASHED
- [ ] TUNNELED
- [ ] UNBOLTED GATE
- [ ] N/A

METHOD OF ENTRY: TOOLS USED

- [ ] BODILY FORCE
- [ ] BOLT CUTTER
- [ ] BRICK / ROCK
- [ ] CHANNEL LOCK / PLIERS
- [ ] CUTTING INSTRUMENT
- [ ] ELECTRONIC DEVICE
- [ ] GLASS CUTTER
- [ ] KEY
- [ ] PRY TOOL
- [ ] SAW / BURN / DRILL
- [ ] SLIDE HAMMER
- [ ] SLIP DEVICE
- [ ] VEHICLE
- [ ] N/A

SECURITY SYSTEM

- [ ] NONE
- [ ] AUDIBLE ALARM
- [ ] CAMERA
- [ ] CRIME WATCH
- [ ] DOG
- [ ] FENCE / BARS
- [ ] GUARD SERVICE
- [ ] OPERATION ID
- [ ] OUTSIDE LIGHTING
- [ ] SECURITY SIGN / STICKER
- [ ] SILENT ALARM
- [ ] SPECIAL LOCKS / DEADBOLT
- [ ] WINDOW BARS
- [ ] N/A

SUSPECT ACTIONS

- [ ] ATE / DRANK ON PREMISES
- [ ] CASED LOCATION
- [ ] COSTUME / DISGUISE WORN
- [ ] DEFECATED / URINATED
- [ ] DEMAND NOTE USED
- [ ] DEMANDED DRUGS / MONEY / ETC.
- [ ] DISABLED PHONE
- [ ] DISABLED POWER
- [ ] DISABLED SECURITY SYSTEM
- [ ] DISABLED VEHICLE
- [ ] EXCESSIVE FORCE
- [ ] FIRED WEAPON
- [ ] FONDLED SELF
- [ ] GRAFFITI
- [ ] HID IN BUILDING
- [ ] IGNITION PUNCHED
- [ ] JUMPED THE COUNTER
- [ ] KNEW LOCATION OF HIDDEN CASH
- [ ] MASK WORN
- [ ] MASTERBATED / EJACULATED
- [ ] PHOTOGRAPHED / VIDEOTAPED
- [ ] PILLOWCASE TAKEN / USED
- [ ] POLICE SCANNER USED
- [ ] RANSACKED
- [ ] RECORDED / LOGGED EVENTS
- [ ] RIPPED / CUT CLOTHING
- [ ] SELECTIVE PROPERTY TAKEN
- [ ] SMOKED
- [ ] TAKEOVER
- [ ] TOOK CONCEALABLES
- [ ] USED MULTIPLE WEAPONS
- [ ] VEHICLE USED TO REMOVE PROPERTY
- [ ] VANDALIZED
- [ ] VICTIM'S NAME USED
- [ ] VICTIM'S TOOLS USED
- [ ] WASHED CLOTHING / BEDDING
- [ ] WIPED SCENE AFTER CRIME
- [x] FIGHT

SUSPECT WAS / HAD:

- [ ] ALCOHOL ON BREATH
- [x] ANGRY
- [ ] APOLOGETIC
- [ ] BAD BREATH
- [ ] BODY ODOR / UNUSUAL ODOR
- [ ] GANG - RELATED
- [ ] INTIMIDATED / COERCED
- [ ] NEVER SPOKE / QUIET
- [ ] POLITE / KIND
- [ ] PROFANITY
- [ ] QUOTES, UNUSUAL
- [ ] RAGE
- [ ] TRUST VIOLATION
- [ ] UNDER INFLUENCE
- [ ] ______

SUSPECT PRETENDED TO BE:

- [ ] BUSINESS PERSON
- [ ] CONVERSATION / BEFRIENDED
- [ ] CUSTOMER
- [ ] DELIVERY PERSON
- [ ] FAMILY MEMBER
- [ ] FIND MONEY
- [ ] HANDICAPPED
- [ ] LEND ASSISTANCE
- [ ] NEED ASSISTANCE OR EMERGENCY
- [ ] NEED TOILET / PHONE / WATER
- [ ] OFFERED GOODS / SERVICES
- [ ] POLICE / SECURITY
- [ ] POSITION OF TRUST
- [ ] REPAIR PERSON
- [ ] SALES PERSON
- [ ] SEEK EMPLOYMENT
- [ ] SOLICIT DONATIONS
- [ ] UTILITY EMPLOYEE
- [ ] ______

VICTIM WAS:

- [ ] ASKED TO POSE / MODEL
- [ ] BLINDFOLDED
- [ ] BOUND / GAGGED
- [ ] BURNED
- [ ] CUT / STABBED
- [ ] DISTRACTED
- [ ] DRUGGED / SEDATED
- [ ] EXPLOITED
- [ ] FACE COVERED
- [ ] FOLLOWED
- [ ] FONDLED
- [ ] FORCED TO DISROBE
- [ ] FORCED TO FONDLE SUSPECT
- [ ] FORCED TO LIE ON FLOOR
- [ ] FORCED TO MASTURBATE
- [ ] FORCED TO MOVE
- [ ] FORCED TO ORALLY COPULATE SUSPECT
- [ ] GANG RELATED
- [ ] HANDCUFFED
- [x] INJURED / HIT
- [ ] LOCKED IN
- [ ] MADE TO COUNT
- [ ] PINCHED
- [ ] PISTOL WHIPPED
- [ ] SHOT
- [ ] SLAPPED
- [ ] THREATENED
- [ ] TORTURED / MUTILATED
- [ ] ______

BIAS - MOTIVATED INCIDENT:

RACIAL

- [ ] ANTI - WHITE
- [ ] ANTI - BLACK
- [ ] ANTI - AMERICAN INDIAN / ALASKAN NATIVE
- [ ] ANTI - ASIAN / PACIFIC ISLANDER
- [ ] ANTI - MULTIRACIAL GROUP

RELIGIOUS

- [ ] ANTI - JEWISH
- [ ] ANTI - CATHOLIC
- [ ] ANTI - PROTESTANT
- [ ] ANTI - ISLAMIC (MUSLIM)
- [ ] ANTI - OTHER RELIGION
- [ ] ANTI - MULTIRELIGIOUS GROUP
- [ ] ANTI - ATHEISM / AGNOSTICISM

ETHNICITY / NATIONAL ORIGIN

- [ ] ANTI - HISPANIC
- [ ] ANTI - OTHER ETHNICITY / NATIONAL ORIGIN

SEXUAL

- [ ] ANTI - MALE HOMOSEXUAL (GAY)
- [ ] ANTI - FEMALE HOMOSEXUAL (LESBIAN)
- [ ] ANTI - HOMOSEXUAL (GAYS & LESBIANS)
- [ ] ANTI - HETEROSEXUAL
- [ ] ANTI - BISEXUAL

GENDER

- [ ] ANTI - MALE
- [ ] ANTI - FEMALE
- [ ] ANTI - TRANSGENDER

DISABILITY

- [ ] ANTI - MENTAL DISABILITY
- [ ] ANTI - PHYSICAL DISABILITY

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
INMATE ASSAULT LOAD SHEET

REFERENCE # 5800-2008-1207-008 **URN #** 008-01817-5800-145

FACILITY TTCF

Location of Occurrence T242, B-8 Facility Count 3791

Dorm/Module/etc. Count 157 Date of Occurrence 12-07-08 Time Occurred 2220

Type of Location: (Circle One)

(1) Cell (circled)	(2) Clinic	(3) Day Room	(4) Dining Area
(5) Dock	(6) Dorm/Module	(7) Hallway	(8) Kitchen
(9) Passage way	(10) Recreation (Indoor)	(11) Recreation (Outdoor)	(12) Shower
(13) Visiting			

(21) Other (Describe) ______

Mutual Combat $\textcircled{Y}$ / N / Unknown . SHAD-49 Written $\textcircled{Y}$ / N Inmate Injury $\textcircled{Y}$ / N Staff Injury $\textcircled{Y}$ / N

How many persons Hospitalized# 1

Person's Last name VALDIVIA Circle one Bkg# (circled) or Emp# 8886221 Where hospitalized? LCMC
Person's Last name ______ Bkg# or Emp# ______ Where hospitalized? ______
Person's Last name ______ Bkg# or Emp# ______ Where hospitalized? ______
Person's Last name ______ Bkg# or Emp# ______ Where hospitalized? ______

DRB/IRTS Written $\textcircled{Y}$ / N Force Used By Staff $\textcircled{Y}$ / N IOD Report Written Y / $\textcircled{N}$

Number of Shanks Recovered 0 Number of Persons Shanked 0

SUMMARY

WHILE ESCORTING S/VALDIVIA BK#8886221 BACK TO HIS CELL, IMMIDIATLY UNCUFFING HIM HE QUICKLY SPUN AROUND AND SWUNG WITH HIS RIGHT FIST AT DEPUTY DEL RIO'S #[redacted] FACE. DEPUTY DEL RIO AND I ATTEMPTED TO GAIN CONTROL OF S/VALDIVIA. S/VALDIVIA FELL ON TOP OF V/DEPUTY DEL RIO. I GAINED CONTROL S/VALDIVIA'S ARMS AND HANDCUFFED THEM BEHIND HIS BACK WITH NO FURTHER INCIDENT

Form Completed By (Please Print) DEPUTY [redacted] Employee # [redacted] Date 12-07-08

DISTRIBUTION: ORIGINAL- UNIT URN FILE, COPY- UNIT STATISTICAL COORDINATOR, COPY- ANY ASSOCIATED FORCE PACKAGE
REV. 11/03

EXHIBIT B

SUPPLEMENTAL REPORTS

EXHIBIT B-1

SH-R-77 (RED TTP) REV. for WP6.0 11/94

COUNTY OF LOS ANGELES-SHERIFF'S DEPARTMENT SUPPLEMENTAL REPORT

DATE: 12/07/2008 SUNDAY 2220

FILE: URN: 008-01817-5800-145

C: 69 P.C RESIST OR DETER POLICE OR EXECUTIVE OFFICER/F/145

ACTION: ACTIVE ADDITIONAL INFORMATION

REF: 007-00725-5800-054

V: DEPUTY DELRIO, A [redacted]

D:

S: S/VALDIVIA (8886221)

NARRATIVE

THE PURPOSE OF THIS SUPPLEMENTAL REPORT IS TO PROVIDE ACTIVE ADDITIONAL INFORMATION REGARDING THE INCIDENT REFERENCED BY THE ABOVE URN.

ON 12/07/2008, AT APPROXIMATELY 2220 HOURS, DEPUTY [redacted] DEPUTY [redacted] AND I CONDUCTED A CELL SEARCH FOR CONTRABAND IN MODULE 242 B-8. UPON COMPLETION OF THE SEARCH, DEPUTY [redacted] INSTRUCTED I/M [redacted] WHO WAS SITTING ON THE DAY ROOM TABLE CLOSEST TO HIS CELL, WITH S/VALDIVIA, TO STAND UP AND WALK TOWARDS HIM, SO WE COULD UN-CUFF HIM. I/M [redacted] COMPLIED AND HE WAS UN-HAND CUFFED AT THE DOORWAY OF HIS CELL. AFTER BEING UN-CUFFED DEPUTY [redacted] INSTRUCTED I/M [redacted] TO LAY ON HIS BUNK, I/M [redacted] COMPLIED.

DEPUTY [redacted] THEN INSTRUCTED S/VALDIVIA TO STAND UP AND WALK TOWARDS HIM SO HE COULD BE UN-CUFFED, S/VALDIVIA COMPLIED. AS DEPUTY [redacted] WAS UN-CUFFING S/VALDIVIA AT THE DOORWAY OF HIS CELL, I WAS STANDING NEXT TO DEPUTY [redacted] PROVIDING SECURITY. AFTER DEPUTY [redacted] REMOVED S/VALDIVIA'S HANDCUFF, HE IMMEDIATELY SHIFTED HIS BODY AROUND TO HIS RIGHT AND STRUCK ME IN THE FACE WITH HIS RIGHT FIST.

AFTER BEING HIT, I IMMEDIATELY GRABBED S/VALDIVIA IN A HEAD-LOCK WITH MY LEFT ARM AND STRUCK HIM WITH MY RIGHT FIST APPROXIMATELY 5-7 TIMES WHILE ORDERING HIM TO STOP FIGHTING. S/VALDIVIA THEN BEGAN STRIKING ME SEVERAL TIMES BEHIND MY HEAD WITH HIS RIGHT FIST.

I ATTEMPTED TO TAKE S/VALDIVIA DOWN TO THE GROUND SO I COULD HANDCUFF HIM, HOWEVER AS I FOUGHT WITH HIM I LOST MY BALANCE AND FELL ON MY BACK. S/VALDIVIA FELL DIRECTLY ON TOP OF ME AND STRUCK ME IN THE FACE TWICE WITH HIS FIST. AT THIS POINT I ATTEMPTED TO FORCE S/VALDIVA OFF ME BY STRIKING HIM IN THE FACE WITH MY FISTS APPROXIMATELY 2-3 TIMES.

BY: DEP. DELRIO,A [redacted]

APPROVED: SGT. Walter [signature] [redacted]

ASSIGNED:

SECRETARY:

DATE: 12/07/2008 SUNDAY 2220 FILE NO. URN: 008-01817-5800-145 REF: 007-00725-5800-054

S/VALDIVIA THEN LOWERED HIS HEAD DOWN INTO MY CROTCH AREA, AS HE DID THIS I FELT HIS TEETH AGAINST MY THIGH. I FELT S/VALDIVIA'S TEETH GETTING CLOSER TO MY GROIN AND FEARED HE WAS ATTEMPTING TO BITE MY GENITALS, WHICH WOULD HAVE CAUSED GREAT BODILY INJURY. IN ORDER TO PREVENT HIM FROM DOING THIS I RETRIEVED MY DEPARTMENTALLY APPROVED FLASHLIGHT AND ATTEMPTED TO STRIKE HIM TWICE ON HIS LEFT SHOULDER BLADE AREA WITH MY FLASHLIGHT. IT SHOULD BE NOTED THAT S/VALDIVIAS POSITION ON TOP OF ME GAVE ME A VERY LIMITED REACH TO HIS NON-VITAL AREAS , AND THE FACT THAT HE WAS ACTIVELY FIGHTING ME MADE IT EXTREMELY DIFFICULT TO STRIKE HIM IN THE INTENDED AREA. I INADVERTABLY STRUCK HIM ON THE HEAD TWICE WITH MY FLASH LIGHT . I ATTEMPTED TO STRIKE HIM A THIRD TIME HOWEVER NOTICED I WAS NOT HITTING HIM IN THE INTENDED AREA.

I CONTINUED TO ORDER HIM TO STOP FIGHTING HOWEVER AFTER BEING STUCK HE BEGAN TO INTENSIFY HIS FIGHTING. AT THIS POINT I SAW SENIOR DEPUTY [redacted] ENTER THE CELL AND STRUCK S/VALDIVIA 2-3 TIMES WITH A FLASHLIGHT IN THE BACK AND SIDE OF THE TORSO.

I THEN SAW DEPUTY [redacted] AND SENIOR DEPUTY [redacted] HANDCUFF AND PUSHED S/VALDIA OFF OF ME. SENIOR DEPUTY [redacted] ASSISTED ME UP THEN ESCORTED S/VALDIVIA OUT OF THE CELL WITHOUT FURTHER INCIDENT.

NMATE ASSAULT - INMATE SECTION

Booking Number	Last Name	First Name	Sex	Race: (See Code1)	Age	K-status	Status: Victim Suspect Unknown	Injury: (see Code2) NN-No Injury	Body Part Injured: (see Code3)	Weapon Used (see Code4)
8886221	VALDIVIA	RAMIRO	M	H	27	N/A	SUSPECT	LC	HE	FL

INMATE ASSAULT - STAFF SECTION (Use only if Staff was assaulted)

Emp#	Last Name	First Name	Rank	Injury: (see Code 2) NN- No Injury	Body Part Injured: (see Code 3)	Weapon Used (see Code 4)
[redacted]	DELRIO	ANTONIO	DSG	AB	HD	PH

CODES

Race (Code1)

(B) Black (C) Chinese (F) Filipino (H) Hispanic (I) American Indian (J) Japanese (P) Pacific Islander (W) White (O) All others

Type of Injury (Code2)

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CO) Concussion
(CP) Complaint of Pain
(DB) Dog Bite
(DI) Dislocation
(DH) Death
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain /Twist
(UN) Unconscious
(RM) Refused Med Treatment
(NN) None

Body Part Injured (Code3)

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttock
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Finger
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knee
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

Weapons (Code4)

(BI) Baton - Impact
(CE) Chemical
(CR) Carotid Restraint
(CT) Control Techniques
(FL) Flashlight
(IM) Inmate Made Weapon
(OB) Other Weapon - Blunt Object
(OC) OC Spray
(OE) Other Weapon -Edged
(OO) Other weapon - Other
(PH) Personal Weapon - Hand\Feet
(PK) Personal Weapon-Feet\Leg\Kick
(PP) Personal Weapon - Push
(RS) Resistance
(TD) Control Hold - Take Down

EXHIBIT B-2

SH-R-77 (RED TTP) REV. for WP6.0 11/94

COUNTY OF LOS ANGELES-SHERIFF'S DEPARTMENT SUPPLEMENTAL REPORT

DATE: 12/07/2008 FILE: 008-01817-5800-145

C: 69 P.C..Resist or deter Police Officer ACTION: Active Additional

V: Deputy Del Rio [redacted]

D:

S: Valdivia, Ramiro #8886221

NARRATIVE

The purpose of this supplemental report is to provide active additional information regarding the above referenced file number.

On the above indicated date, at approximately 2215 hrs, I was inside the Supervisor's office in module 242 when I heard over my radio: "415 fight 242 B pod-deputy involved."

I immediately responded from the office to "B" pod, where I observed the door to cell #8 wide open and an inmate (identified as Valdivia, Ramiro #8886221) on top of Deputy Del Rio [redacted] who was laying on his back.

As I got closer to cell #8, I saw I/M Valdivia swing both his fists at Deputy Del Rio as he tried to get up off his back. I also saw Deputy [redacted] have his arms around I/M Valdivia's waist and right leg in an attempt to stop him from kicking and possibly standing up.

As I entered the cell, I shouted to Valdivia: "stop fighting!" I saw Valdivia lower his head below the waist of Deputy Del Rio as he (Valdivia) swung his fists toward Del Rio's head.

I could see that I/M Valdivia had his mouth open, and at this time I feared he was attempting to bite the lower leg or groin area of Deputy Del Rio. In order to stop this assault and gain control of Valdivia, I used my right hand and struck Valdivia on the lower back and side with my flashlight approximately four times.

At the same time I saw Deputy Del Rio strike Valdivia twice on the top of his head with a flashlight, which caused bleeding to Valdivia's head. It was after the second head strike that I saw Valdivia close his mouth and stop swinging his fists. I saw Deputy [redacted] handcuff Valdivia and attempt to get him off of Deputy Del Rio. I assisted Deputy [redacted] in standing Valdivia up, and handed him off to responding deputies who led him out of the pod.

It should be noted that as I assisted Deputy Del Rio up, I saw Deputy Vross [redacted] use both hands to hold a prone inmate (identified as [redacted] from standing. I/M [redacted] was at the corner of the cell, handcuffed and not fighting or resisting.

BY: Senior Deputy [redacted]

APPROVED: SGT. Walker Clffn

ASSIGNED:

SECRETARY:

EXHIBIT B-3

SH-R-77 (RED TTP) REV. for WP6.0 11/94

COUNTY OF LOS ANGELES-SHERIFF'S DEPARTMENT SUPPLEMENTAL REPORT

DATE: 12/07/2008 SUNDAY 2220

FILE: 5800-2008-1207-008

C: 69 P.C. RESIST OR DETER POLICE OR OFFICER./F/145

ACTION: ACTIVE ADDITIONAL INFORMATION

V: DEPUTY DEL RIO

D:

S: S/VALDIVIA, RAMIRO BK#8886221

NARRATIVE

THE PURPOSE OF THIS SUPPLEMENTAL REPORT IS TO PROVIDE ACTIVE ADDITIONAL INFORMATION REGARDING THE INCIDENT THAT OCCURRED IN MODULE 242 UNDER REF#5800-2008-1207-008 AND URN#008-01817-5800-145.

WHILE I WAS PROVIDING SECURITY IN THE B POD DAYROOM OF MODULE 242 FOR A CELL SEARCH, I SAW DEPUTY [redacted] TAKE OFF I/M VALDIVIA'S HANDCUFFS IN THE DOORWAY OF CELL #8. (IT SHOULD BE NOTED THAT I/M VALDIVIA WAS COOPERATIVE DURING THE CELL SEARCH.). AS DEPUTY [redacted] REMOVED THE HANDCUFFS FROM I/M VALDIVIA, I/M VALDIVIA QUICKLY TURNED TO HIS LEFT AND STRUCK DEPUTY DEL RIO ON HIS FACE. AT THAT TIME I/M [redacted] JUMPED OFF HIS TOP BUNK FACING OUR DIRECTION, DEPUTY [redacted] IMMEDIATELY ORDERED I/M [redacted] TO THE GROUND.

I WRAPPED MY ARMS AROUND I/M VALDIVIA'S LEGS WHILE DEPUTY DEL RIO PLACED I/M [redacted] IN A HEAD LOCK WITH HIS LEFT ARM. I, DEPUTY DEL RIO AND I/M VALDIVIA FELL TO THE CELL FLOOR. WHILE ON THE GROUND WITH MY ARMS STILL CONTROLLING I/M VALDIVIA'S LEGS I LOOKED UP AND SAW I/M VALDIVIA ATTEMPTING TO BITE DEPUTY DEL RIO'S GROIN, AT THAT TIME SR. DEPUTY [redacted] ENTERED THE CELL AND STRUCK I/M VALDIVIA APPROXIMATELY 3 TO 4 TIMES WITH HIS FLASHLIGHT ON HIS LOWER BACK. I THEN REACHED UP AND SECURED I/M VALDIVIA'S LEFT HAND WHILE DEPUTY [redacted] HANDCUFFED I/M VALDIVIA. I AND DEPUTY DEL RIO ESCORTED I/M VALDIVIA TO THE 242 STAGING AREA WITHOUT FURTHER INCIDENT.

BY: D EPUTY [redacted]

APPROVED: SGT. Esteban Chaffin [redacted]

ASSIGNED:

SECRETARY:

EXHIBIT B-4

SH-R-77 (RED TTP) REV. for WP6.0 11/94

COUNTY OF LOS ANGELES-SHERIFF'S DEPARTMENT SUPPLEMENTAL REPORT

DATE: 12/08/2008 SUNDAY 2220

FILE: URN: 008-01817-5800-145

C: 69 P.C RESIST OR DETER POLICE OR EXECUTIVE OFFICER/F/145

ACTION: ACTIVE ADDITIONAL INFORMATION

REF: 007-00725-5800-054

V: DEPUTY DELRIO, A [redacted]

D:

S: S/VALDIVIA (8886221)

NARRATIVE

THE PURPOSE OF THIS SUPPLEMENTAL REPORT IS TO PROVIDE ACTIVE ADDITIONAL INFORMATION REGARDING THE INCIDENT REFERENCED BY THE ABOVE URN.

ON 12/08/2008, AT APPROXIMATELY 2220 HOURS, I RESPONDED TO A CALL FOR A DEPUTY INVOLVED 415 IN MODULE 242 B-POD. I SAW SR. [redacted] RUN INTO B-POD CELL 8 AND I FOLLOWED HIM. AS I ENTERED THE CELL I SAW SR [redacted] DEPUTY DEL RIO [redacted] DEPUTY [redacted] AND DEPUTY [redacted] ALL FIGHTING WITH I/M VALDAVIA (#8886221). I SAW THAT THERE WAS AN INMATE (I/M [redacted] LAYING HANDCUFFED AND UNATTENDED ON HIS STOMACH JUST PAST THE DEPUTIES AND DECIDED TO MAKE SURE HE WAS SECURE. I PLACED MY KNEE ON HIS BACK AND HELD HIM TO MAKE SURE HE WOULD NOT MOVE. I COULD NOT SEE WHO WAS SWINGING, BUT I COULD SEE THAT BEHIND ME THE DEPUTIES WERE STILL STRUGGLING WITH I/M VALDAVIA AND EVENTUALLY WERE ABLE TO HANDCUFF HIM.

I/M VALDAVIA WAS THEN ESCORTED BY DEPUTY DEL RIO AND DEPUTY [redacted] TO THE OUTDOOR RECREATION AREA. I THEN ESCORTED I/M [redacted] TO THE VISITING AREA WHERE I HANDCUFFED HIM THE THE SEAT. I/M [redacted] WAS THEN QUESTIONED BY SGT. CHAFFIN [redacted] AFTER WHICH I ESCORTED HIM BACK TO HIS CELL WITH NO FURTHER INCIDENT.

BY: DEP. VROSS [redacted]

APPROVED: SGT. [signature]

ASSIGNED:

SECRETARY:

EXHIBIT C

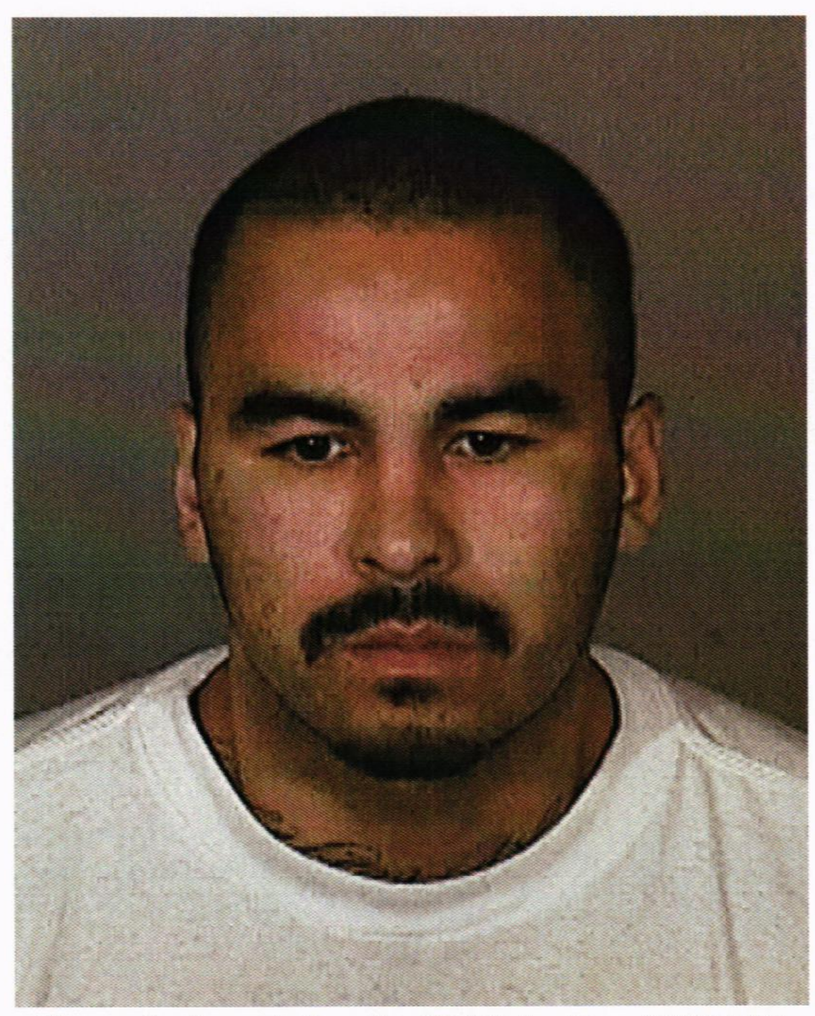


Figure 1 - Inmate Ramiro Valdivia, bkg. # 8886221

Figure 2 - View from inside Cell 8, looking out into common area of pod, toward staff station. Involved Employee Deputy Del Rio and assisting personnel indicated altercation took place just inside open cell doorway near sink/toilet.

Figure 3 - View inside cell from open doorway. Involved personnel reported second inmate in cell, Inmate [redacted] bkg. [redacted], was on his bunk and jumped off onto the cell floor just after Inmate Valdivia attacked Deputy Del Rio.

Figure 4 - View from just outside staff station outside pod toward Cell 8.

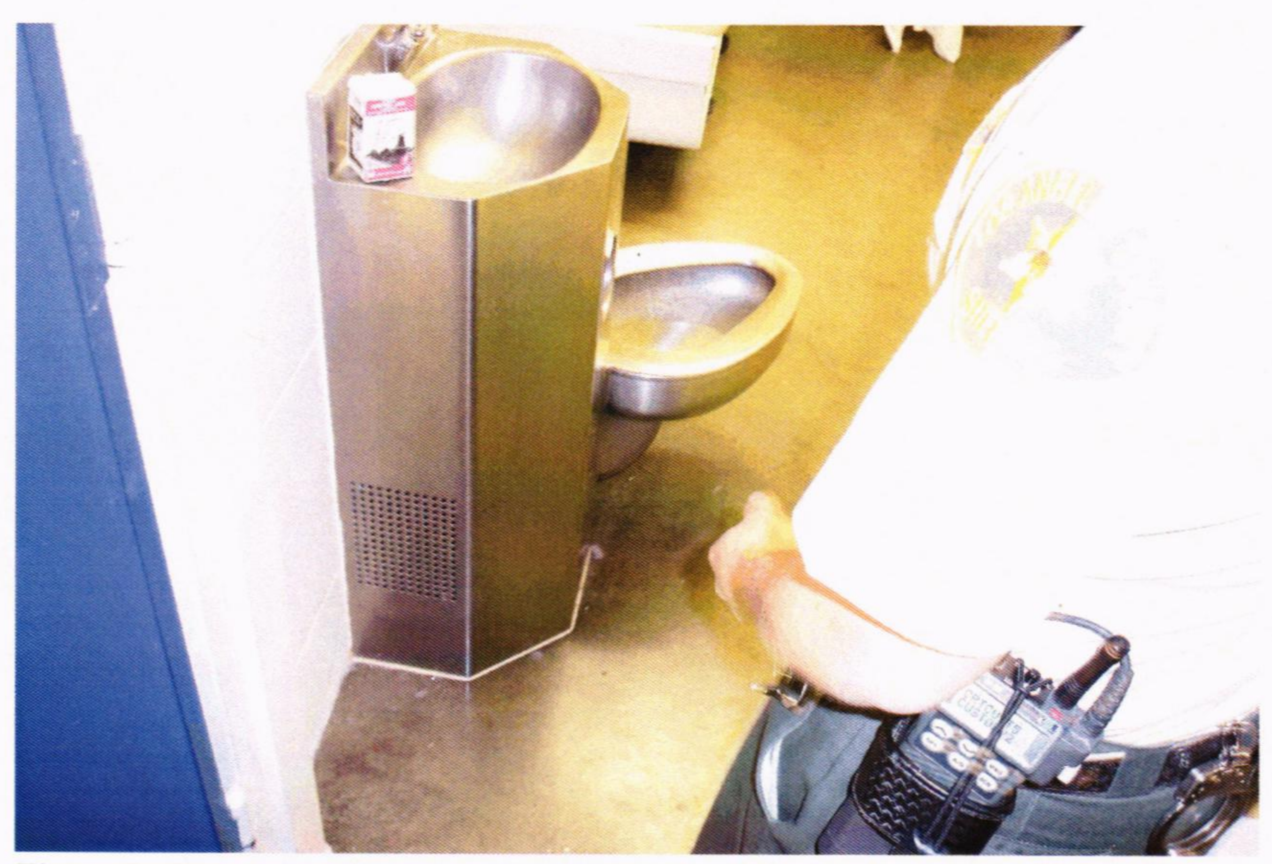


Figure 5 - Deputy Del Rio shows where he was positioned when he un-hancuffed Inmate Valdivia and the inmate spun and attacked him.

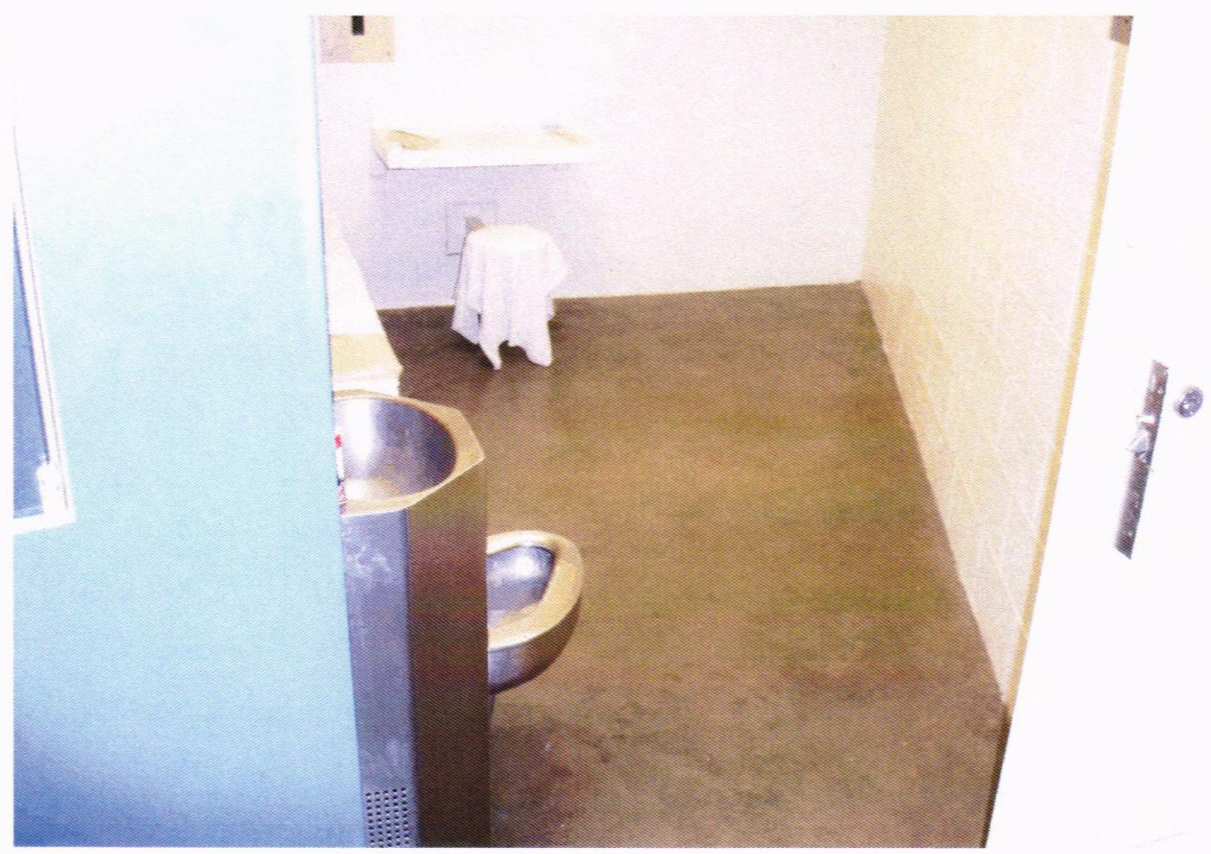


Figure 6 - Cell 8 from open doorway.

Figure 7 - Bruise to Deputy Del Rio's right forehead .

Figure 8 - Other contusions and bruises on the right side of Deputy Del Rio's scalp.

Figure 9 - Stapled laceration on top of Inmate Valdivia's head.

Figure 10 - Right side of Inmate Valdivia's head showing dried blood and bruise/red mark on right rear of head. Photographs taken at LA Co./USC Medical Center.

Figure 11 - Clearer depiction of Inmate Valdivia's stapled laceration on right rear of his head.

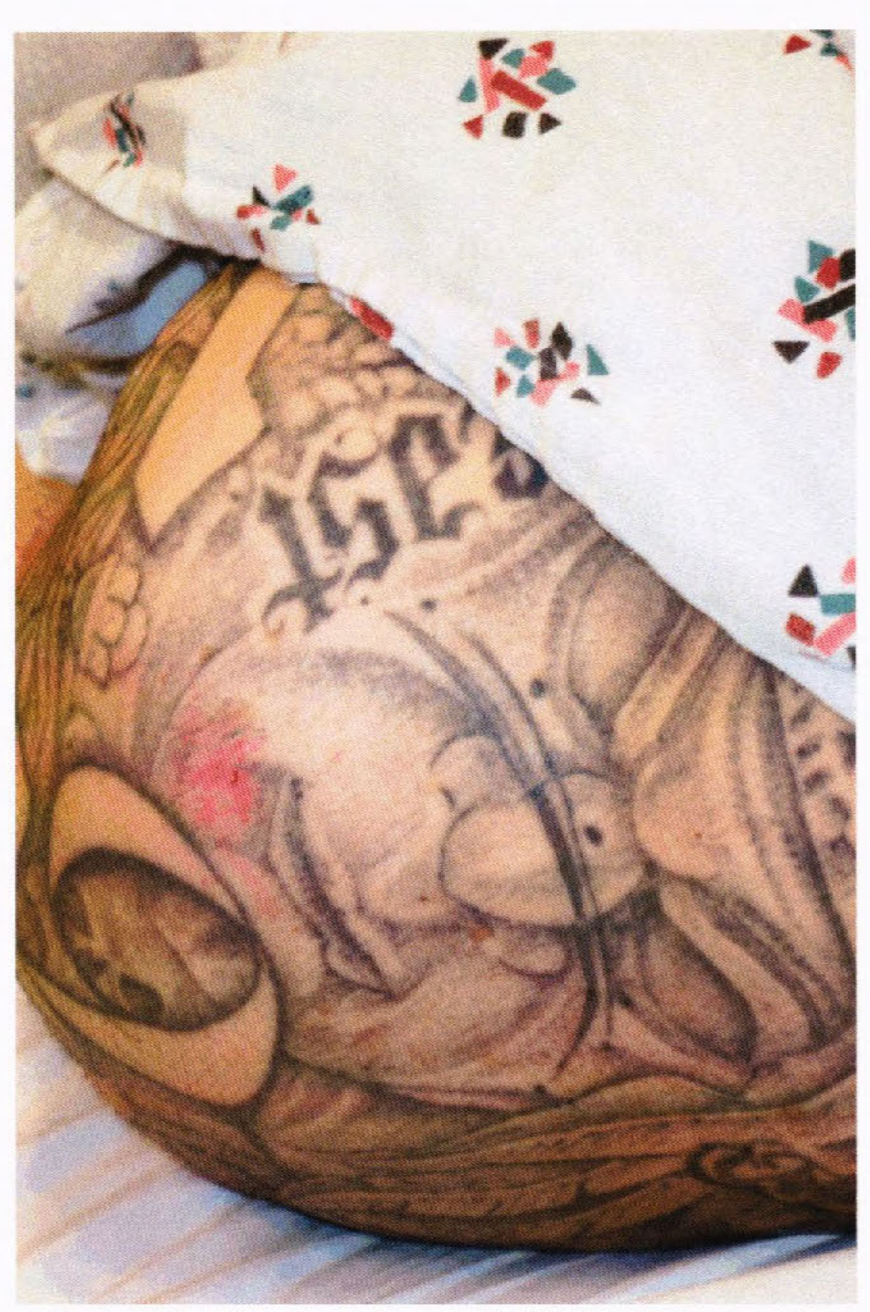


Figure 12 - Abrasion to Inmate Valdivia's right shoulder
(photo taken at LA Co./USC Medical Center).

Figure 13 - Abrasions on the left side of Inmate Valdivia's scalp, behind the ear.

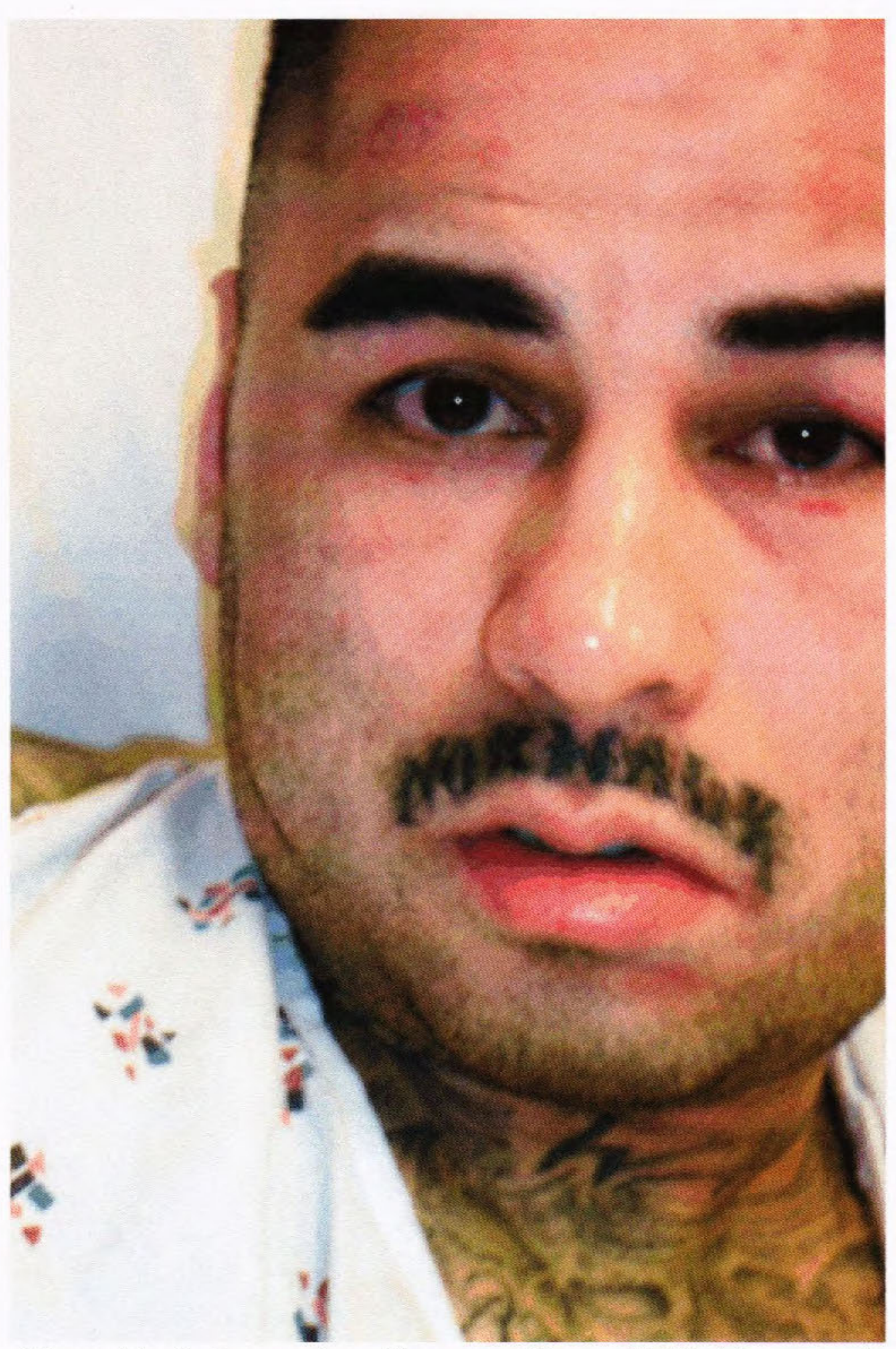


Figure 14 - Redness and swelling around Inmate Valdivia's eyes and below left side of lip.

Figure 15 - Inmate Valdivia declining treatment by TTCF Clinic medical staff (image from video DVD).

Figure 16 - Flashlight used by Deputy Del Rio during incident.

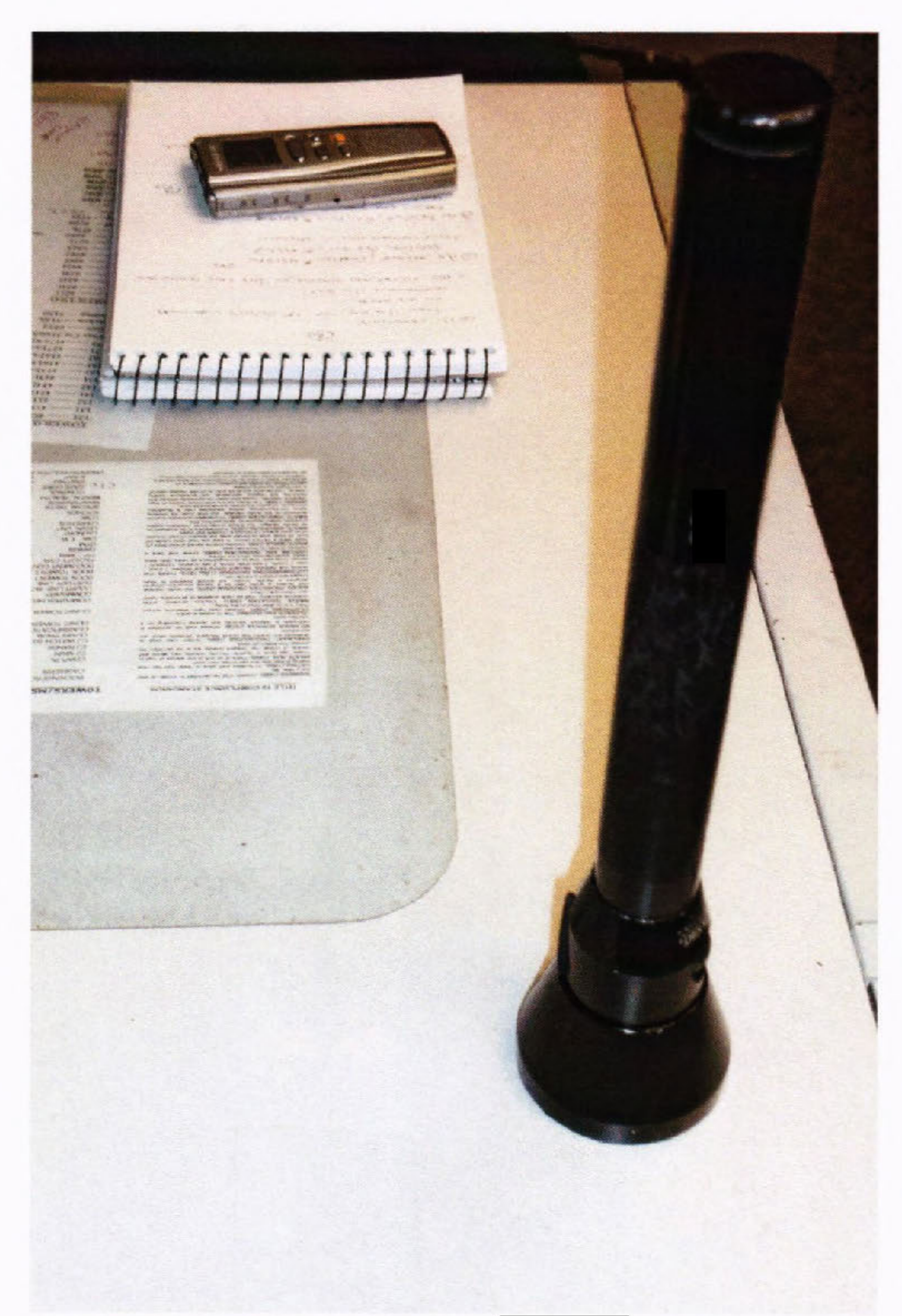


Figure 17 - Flashlight used by Deputy [redacted] during the incident.

EXHIBIT D

Stunson, David J.

From: O'Dell, Rudy J.
Sent: Thursday, January 15, 2009 7:37 AM
To: Stunson, David J.
Subject: RE : THE VALDIVIA, RAMIRO CASE

THE CASE WAS FILED AT CCB ON 12-18-09 BEFORE DISTRICT ATTORNEY JOE SCHILDLER, TWO FELONIES WERE FILED ON THE SUSPECT.

ONE COUNT OF 243 (C) P. C. WAS FILED

AND ANOTHER COUNT OF 69 P. C.

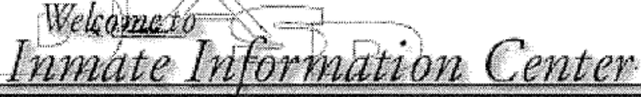
BAIL WAS SET AT $50,000.00

THE PRE-LIM IS SET FOR 01-22-09 AT CCB IN DIVISION 37

THE ORIGINAL CHARGE THAT THE SUSPECT IS IN JAIL FOR IS [redacted] OUT OF NORWALK COURT CAS E# [redacted]

THE SUSPECT IS AN ADMITTED VARRIO NORWALK GANG MEMBER KNOWN AS "LUCKY"

[redacted]



BACK

(The information was current as of: 12/09/2008 07:37)

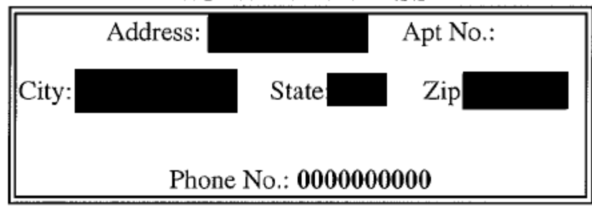
Booking No.: **8886221** Last Name: **VALDIVIA** First Name: **RAMIRO** Middle Name:

Sex: **M** Race: **H** Date Of Birth: **06/06/1981** Age: **24** Hair: **BLK** Eyes: **BRO** Height: **508** Weight: **170**

Id Level: **P** Main No.: [redacted] CII No.: [redacted] SS No.: [redacted] File No.:

Charge Level: **F**

HOME ADDRESS



Address: [redacted] Apt No.:

City: [redacted] State [redacted] Zip [redacted]

Phone No.: **0000000000**

EMERGENCY CONTACT

Address Type: **1**

Address: Apt No.:

City: State: Zip: **00000**

Phone No.: [redacted] Business Phone No.: **0000000000**

Contact Person Last Name: [redacted] First Name: [redacted]

Relation: [redacted]

[redacted]

BAIL

Total Bail Amount: **2,000,000.00** Total Hold Bail Amount: **0.00** Grand Total: **2,000,000.00**

HOUSING LOCATION

Housing Location: **TTCF** Module: **T121** Row: **A** Cell: **0004** Bunk:

Permanent Housing Assigned Date: **12/08/2008** Assigned Time: **1216** Visitor Status: **0**

Facility: **TWIN TOWERS CORRECTIONAL FACILITY**
Address: **450 BAUCHET STREET** City: **LOS ANGELES**

For County facility visiting hours, Please call (213) 473-6080 at Inmate Information Center.

COURT

Next Court Code: **SEM** Next Court Date: **01/07/2009** Next Court Time: **0830** Next Court Case: [redacted]

Court Name: **NORWALK SUPERIOR CT DEPT M**
Court Address: **12720 NORWALK BOULEVARD** Court City: **NORWALKUPT**

RELEASE

Release Date: Release Reason: Reason Description:

Release Agency: Agency Description:

Case Information

Case No.	Charge No.	Level	Court Name	Court Address	Court City	Bail Amt.	Fine Amt.	Court Date	Sent. Date	Sent. Day (s)	Disp Code

[redacted]

Inmate AKAs

Last Name	First Name	Middle Name	Suffix	Sex	Race	DOB	Age	Arrest Agency	Booking Date
MONIKER	LUCKY			M	H	01/28/1970	24	8000	01/13/2006
RAMIRO	VALDIVIA			M	H	02/09/1978	24	8000	01/13/2006
VALDIVIA	RAMIRO			M	H	06/06/1981	24	8000	01/13/2006

New Search

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

EXHIBIT E

SGT. CHAFFIN.

TWIN TOWER CORRECTIONAL FACILITY DAILY INSERVICE ORIGINAL

Tower I - EM SHIFT — MONDAY — DECEMBER 8, 2008

POSITION	TIME	ERT/EOC	OT	NAME	Radio
WATCH CMDR	[redacted]			LOPEZ, DANIEL	
&WATCH SGT.				RAMOS, KRISTIE	
T/1 LINE SGT.		T/SGT		SOTO, MARCO	
FACILITY CONTROL SR.				CELAYA, CARLOS	
T/1 LINE SR.		[redacted]		TAUILILI, PEIVI A. (PC)	
G9 F/1				ALLENSON, SEAN	
G9 F/2				BENDER, DELL	
T/1 D			x	~~J~~ CASTELLANOS, NICOLAS	
FACILITY CONTROL C/A				~~TAK, CHAN K.~~ ZAMORA, LUCILLE	
INMATE ANSWERING SERVICE				BANUELOS, JAIME	
T/1 DOCK				OBLEA, JOSEPH	
110 F				ROMAN, ROBERTO	
110 A/1				HARRISON, RAHSAAN	
110 A/2				SOLOMON, CAROL	
110 A/3				DISTLER, JAMES	
110 A/4				NAVARRO-SUAREZ, JUANITA (SMITH, ALLEN)	
T/1 TRANSFER CENTER C/A #1				LEE, TONY	
120 F/1				~~KIM, MAX~~ SANTELLA, ANGELO	
120 F/2		[redacted]		SULLENS, JASON	
121 F				LEY, ERIC	
T/1 CLINIC C/A				CASTRO, JESUS (TR)	
122 F				PAIGE, DANIEL	
MODULE 131				VALDEZ, DAVID	
131 A		[redacted]		CRUZ, JOEL	
131 F/1				PORT, NATHAN	
MODULE 132				~~SALINAS, CARLOS~~ RAWLINGS, B	
132 A				ESPINOZA, ANGELO	
132 F/1		[redacted]		JOHNSTON, GABRIEL (TO)	
MODULE 141				HENDERSON, RASTUS	
141 F/1				COBB, DARYL	
MODULE 142				PEREZ, JUSTIN	
142 F/1		[redacted]		TORRES, VALENTINO	
142 F/2				RODRIGUEZ, SERGIO	
MODULE 151				HERRERA, ERUBIEL	
151 A		[redacted]		BUI, SON	
151 F/1				AGUILAR, MOISES	
MODULE 152		[redacted]		~~ZAMORA, LUCILLE~~ TAK, CHAN	
152 A				GHUMAN, RANJIT (ALVAREZ, ROBERT)	
152 F/1				CAMBEROS, FRANCISCO (UNGER, LESLIE)	
MODULE 161				GIBSON JR., FLOYD	
161 F/1		[redacted]		NUNEZ-BU, EDUARDO	
161 F/2				ROGERS, JOHN	
MODULE 162				BENNETT, DANIEL	
162 F/1		[redacted]		RAMIREZ BECERRA, JOSE	
162 F/2				~~BRICE, JEREMIAH~~ [redacted]	
MODULE 171				GREEN, BERNARD	
171 F/1		[redacted]		LOZANO, ADALBERTO	
171 F/2				GRAHAM, KRISTOPHER (MERCHAIN, MICHAEL)	
MODULE 172				MADDOX, JOSEPH	
172 F/1				~~MENDEZ, ADRIAN~~ REYNOLDS, DAVID	
172 F/2		[redacted]		BALARES III, JORGE	
170 TITLE 15 SAFETY DEPUTY				ALLEY, GREGORY	
[redacted]					
				BRICE, JEREMY	

TWIN TOWER CORRECTIONAL FACILITY DAILY INSERVICE ORIGINAL

Tower II - EM SHIFT	MONDAY			DECEMBER 8, 2008	
POSITION	TIME	ERT/EOC	OT	NAME	Radio
WATCH CMDR	[redacted]			LOPEZ, DANIEL	
&WATCH SGT.				RAMOS, KRISTIE	
T/2 LINE SGT.		1557	X	CHAGANIW	
CTC SR.		[redacted]		[redacted]	
T/2 LINE SR.			X	O [redacted]	
T/2 D				CARILLO, SANTIAGO	
T/2 CONTROL C/A				PEREZ, AMANDA	
T/2 TRANSFER CENTER C/A #1				CATER, TIMOTHY	
220 F/1		[redacted]		GOODBAN, GARY	
220 F/2				GARIBAY, ROBERTO	
MODULE 241				HEREDIA, MELISSA	
241 F/1		[redacted]		VROSS, COREY (TO)	
241 F/2				DEL RIO, ANTONIO	
MODULE 242				[redacted]	
242 F/1		[redacted]			
242 F/2					
MODULE 251				SANDOVAL, ROBERTO	
251 A		[redacted]		~~SUTTON, CARLOS (TO)~~ KIM, MAX [illegible]	AJ
251 F/1				GUTIERREZ, DANIEL	
MODULE 252				JIMENEZ, CHRISTOPHER	
252 A		[redacted]		MILLER, DUSTIN	
252 F/1				NAVARRO-ORTIZ, PEDRO	
MODULE 261				CLOSED	
261 A				CLOSED	
261 F/1				CLOSED	
MODULE 262				CLOSED	
262 A				CLOSED	
262 F/1				CLOSED	
MODULE 271				LEWIS, CHARITY	
271 A		[redacted]		PAYAN, RODRIGO	
271 F/1				JENSEN, JEFFREY	
MODULE 272				TRAN, CYNDI	
272 A		[redacted]		HERNANDEZ JR., DANIEL	
272 F/1				VELASQUEZ, JAMES	
T/3 D				LEE, JENNY	
CTC GATE				BORREGO, ARTURO	
322 A				~~McDANIEL, DOUGLAS~~ HORNSBY, R	AJ
320 F				BETTS, ERIC	
331 F				BILBAO, ANDRES (TO)	
332 F				ECKSTROM, DAVID L.	
330 F				DIAZ, ANDREW	
342 A				PADILLA, TAVIN	
342 F/1		[redacted]		WILLIAMS III, THEODORE	
342 F/2				ORTEGA, ANTONIO	
CUSTODIAN				JAUREGUI, MARCUS	
[redacted]					
*EOC:1-SR. & 6 - DEP'S or C/A' S (NOT ON ERT)					
PERSONNEL ACCOUNTED FOR BY:	LOPEZ, DANIEL				06:45:36 PM

EXHIBIT F

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT INMATE INJURY REPORT

008-01817-5800-145
URN Number

5800-2008-1207-008
Reference Number

INMATE

VALDIVIA — LAST NAME
RAMIRO — FIRST NAME
MI
8886221 — BOOKING NUMBER

M — SEX
H — RACE
06/06/81 — DOB
242-B-8 — HOUSING LOCATION

12/07/08, 2206 — INCIDENT DATE/TIME
242-B-8 — INCIDENT LOCATION
TTCF — FACILITY HOUSED

MEDICAL SERVICES INFORMATION

Sade Olatubosun — TREATED BY
S Olatubosun — (PLEASE PRINT)
[redacted] — EMPLOYEE NUMBER
12/7/08 — Refused Treatment — DATE/TIME TREATED

DESCRIPTION OF INJURY / MEDICAL DISPOSITION

Brought to TTZ clinic on guerney with his hands cuffed behind him. With laceration and bleeding on the back of his head. Also noted with fresh blood on his face & shirt. Refused to be assessed. Refused medical care from doctor in the clinic. Kicking, yelling, cursing and screaming. Spit bag on his head removed when he got to the clinic. Refused V/signs, refused closer assessment of his laceration. Ordered to be transferred to LCMC by another MD - Dr Kim who is the facility MOD. Remain on guerney, strapped down for his safety

S Olatubosun RN III
MEDICAL STAFF SIGNATURE

INCIDENT NARRATIVE

ON THE ABOVE DATE AND TIME INMATE VALDIVIA # 8886221 WAS INVOLVED IN A FIGHT. I ESCORTED I/M VALDIVIA TO THE TOWER 2 CLINIC WHERE HE REFUSED TREATMENT. I SAW 2 LACERATIONS ON THE BACK OF I/M VALDIVIA'S HEAD. I/M VALDIVIA IS BEING EXTREMELY COMBATIVE TOWARD NURSING STAFF AND DEPUTIES.

(Attach Additional Pages if Necessary)

INMATE STATEMENT

I/M VALDIVIA WAS UNABLE TO MAKE A STATEMENT.

LOS ANGELES COUNTY SHERIFF'S INMATE INJURY REPORT

008-01817-5800-145
URN Number

5800-2008-1207-008
Reference Number

INMATE STATEMENT (CONT.)

N/A
SIGNATURE

WITNESS INFORMATION

LAST NAME	FIRST NAME	MI	BOOKING	HOUSING LOCATION

NO WITNESS FOUND DUE TO THE INMATES ALL SECURED IN THEIR CELLS.

(Attach Additional Pages if Necessary)

SIGNATURE

WITNESS INFORMATION

LAST NAME	FIRST NAME	MI	BOOKING	HOUSING LOCATION

N/A

(Attach Additional Pages if Necessary)

SIGNATURE

DEP. [redacted]
SUBMITTED BY EMP NUMBER

SGT. [signature] [redacted]
APPROVED BY

Lt. [signature] [redacted]
WATCH COMMANDER

UNIT COMMANDER

76R575A- SHRJ-212 REV 06/2000

[redacted]

[redacted]

[redacted]

[redacted]

6610892

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Medical Authorization

To:

I/we hereby authorize the County of Los Angeles, Leroy D. Baca, Sheriff, or his deputy, agent or representative to inspect, review and make copies, including photostatic copies, of all medical records pertaining to care and treatment rendered the undersigned.

Photostatic copies of this authorization will be considered as valid as the original.

Date: 12-08-08 S/ [signature]

S/ RAMIRO VALDIVIA DOB 06-06-81

9 JAN -5 P12:04

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
INTERNAL AFFAIRS BUREAU
4900 S. Eastern Ave. Suite 100, Commerce, 90040
PHONE #323-890-5339

FAX TRANSMISSION COVER SHEET

9 JAN -5 P12:04

PLEASE DELIVER TO: **LACo./USC Med. Center Patient Records**
Attn: Theodore
FAX #323-226-2231
PH. # 323-226-6118

FROM: Sergeant Dave Stunson
[redacted]

NUMBER OF PAGES INCLUDING COVER: 3

ADDITIONAL INFO: Please find the attached request for medical records and authorization to release medical records signed by LACo. Jail Inmate Ramiro Valdivia, (date of birth - 06/06/81). Inmate Valdivia was treated at your hospital on December 8, 2008, after an incident which occurred at Twin Towers Correctional Facility. If patient medical records staff have any questions, please have them call me at the above number. Thank you for your help.

Sgt. David Stunson

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Medical Authorization

To:

I/we hereby authorize the County of Los Angeles, Leroy D. Baca, Sheriff, or his deputy, agent or representative to inspect, review and make copies, including photostatic copies, of all medical records pertaining to care and treatment rendered the undersigned.

Photostatic copies of this authorization will be considered as valid as the original.

Date: 12-08-08 S/ [signature]

S/ RAMIRO VALDIVIA DOB 06-06-81

EXHIBIT G

FLOOR PLAN FOR INMATE HOUSING

MISCELLANEOUS DOCUMENTS

ADMINISTRATIVE RIGHTS / FORCE/SHOOTING REVIEW

I am Sgt. David Stinson and this is Sgt. Roosevelt Johnson of JAB which is commanded by Capt. K. Mannis.

You are about to be questioned as part of an official Los Angeles County Sheriff's Department administrative review. ***At this stage of the review, you are not a subject; however, because the Department cannot rule out culpability as a result of your actions, the Department is granting you all of the administrative rights afforded a subject, including the right to have a representative of your choice present during questioning.***

Do you have a Policy and Ethics Chapter of the Manual of Policy and Procedures? (✓) **Yes** ( ) **No**

Are you familiar with its contents? (✓) **Yes** ( ) **No**

You are specifically reminded that Policy and Ethics Sections 3-01/040.70 and 3-01/040.75, require that you make full, complete and truthful statements. A refusal to do so may result in your discharge or other punitive action.

This Administrative Review concerns: (Cite the reason for this review)

Use of force in 2428 Pod, Cell 8, on 12-08-08

This is an administrative review only; therefore, neither your statements or any information or evidence gained by such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you should an ***Administrative Investigation*** be ordered by Department management based on your actions.

You are being asked to answer questions specifically related to the performance of your official duties and/or your conduct related to your employment with the Department.

You have the right to have a representative of your choice, who is not involved in this ***Force/Shooting Review,*** present with you during your interview. You may tape record this interview if you wish. ***You are ordered not to discuss the facts of this review or any of the issues discussed during your interview with anyone other than your designated representative.***

The above admonition has been explained to me and I understand its contents. I understand that I am not considered a subject and this is not an Administrative Investigation.

Date: 12-08-08 File Number: F02233614

Interviewee [signature] Antonio Del Rio [redacted]
(Signature) (Print)

Investigator: [signature] David J Stinson, Sgt # [redacted]
(Signature) (Print)

ADMINISTRATIVE RIGHTS / FORCE/SHOOTING REVIEW

I am SGT. DAVID STANSON and this is SGT. ROOSEVELT JOHNSON of IAB which is commanded by CAPT. K. MANNIS.

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This Administrative Review concerns: (Cite the reason for this review)

USE OF FORCE IN 242B POD, CELL 8, ON 12-07-08

This is an administrative review only; therefore, neither your statements or any information or evidence gained by such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you should an ***Administrative Investigation*** be ordered by Department management based on your actions.

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The above admonition has been explained to me and I understand its contents. I understand that I am not considered a subject and this is not an Administrative Investigation.

Date: 12-08-08 File Number: F02233614

Interviewee [redacted] (Signature) [redacted] (Print)

Investigator: [signature] (Signature) DAVID J. STANSON #[redacted] (Print)

ADMINISTRATIVE RIGHTS / FORCE/SHOOTING REVIEW

I am SGT. DAVID STINSON and this is SGT. ROOSEVELT JOHNSON of IAB which is commanded by CAPT. K. MANNIS.

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The above admonition has been explained to me and I understand its contents. I understand that I am not considered a subject and this is not an Administrative Investigation.

Date: 12-08-08 File Number: F02233614

Interviewee [redacted]
(Signature) (Print)

Investigator: [signature] DAVID J. STINSON, SGT. [redacted]
(Signature) (Print)

ADMINISTRATIVE RIGHTS / FORCE/SHOOTING REVIEW

I am SGT. David Stinson and this is SGT. Roosevelt Johnson of

IAB which is commanded by CAPT. K. Mannis.

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Do you have a Policy and Ethics Chapter of the Manual of Policy and Procedures? (X) **Yes** ( ) **No**

Are you familiar with its contents? (X) **Yes** ( ) **No**

You are specifically reminded that Policy and Ethics Sections 3-01/040.70 and 3-01/040.75, require that you make full, complete and truthful statements. A refusal to do so may result in your discharge or other punitive action.

This Administrative Review concerns: (Cite the reason for this review)

USE OF FORCE IN 242 B POD, CELL 3, ON 12-07-08

This is an administrative review only; therefore, neither your statements or any information or evidence gained by such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you should an ***Administrative Investigation*** be ordered by Department management based on your actions.

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The above admonition has been explained to me and I understand its contents. I understand that I am not considered a subject and this is not an Administrative Investigation.

Date: 12-08-08 File Number: F02233614

Interviewee [redacted] [redacted]
(Print)

Investigator: [signature] DAVID J. STINSON, SGT. [redacted]
(Signature) (Print)

SH AD 601 8/00

ADMINISTRATIVE RIGHTS / FORCE/SHOOTING REVIEW

I am SGT. DAVID STUNSON and this is SGT. ROOSEVELT JOHNSON of

IAB which is commanded by CAPT. K. MANNIS.

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This Administrative Review concerns: (Cite the reason for this review)

USE OF FORCE IN 242 B POD, CELL B, ON 12-07-08

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The above admonition has been explained to me and I understand its contents. I understand that I am not considered a subject and this is not an Administrative Investigation.

Date: 12-08-08 [redacted] File Number: FO2233614

Interviewee [redacted]
(Signature) (Print)

Investigator: [signature] DAVID J. STUNSON, SGT. [redacted]
(Signature) (Print)

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
INTERNAL AFFAIRS BUREAU - MANDATORY NOTIFICATION FORM

MANDATORY NOTIFICATIONS - In addition to the verbal notification to the on-call IAB lieutenant, Watch Commanders/Supervising lieutenants are also requested to complete this form and send via email to IAB's special exchange group, "IAB Mandatory Notification," whenever any of the following incidents occur (check all that apply):

	Accidental discharges and shooting at animals, on or off duty.	x	**Head injury or complaint of injury to a person's head or neck area due to force used by a Dept. member or as a result of accidental circumstances.**
	Significant force following a vehicular or foot pursuit.		
	Canine bites resulting in medical treatment		**Inmate deaths, other than obvious natural causes**
	Arrest of employee		**Domestic Violence arrest or detention**

MANDATORY NOTIFICATION AND RESPONSE - The following incidents require a notification to, and a response by, the on-call IAB lieutenant:

All incidents where deputy personnel are shot, on or off duty.	Head strikes with impact weapons.
All shootings in which a shot was intentionally fired at a person by any Dept. member, on or off duty.	Skeletal fractures.
Death following contact or an altercation with any Dept. member, on or off duty.	All large parties where force is used.
Hospitalizations due to injuries caused or allegedly caused by any Dept. member.	Any other incident at the discretion of the on-call IAB lieutenant.

Unit:	TWIN TOWERS CORRECTIONAL FACILITY	**Incident Date:**	12/07/08	**Incident Time:**	2220 HRS

Location:	MODULE 242 B-POD	**City:**	LOS ANGELES

URN:	008-01817-5800-145	**Name of IAB Lt. notified:**	ROD KUSH	**Date:**	12/08/08	**Time:**	0010

DOMESTIC VIOLENCE DETENTION OR ARREST

Investigating Agency:		**Agency Rpt #**		**Charges**	

INVOLVED LASD PERSONNEL — Status: WC = Watch Commander; IP = Involved Personnel

Status	**Last Name**	**First Name**	**Rank**	**Emp #**	**UOA**	**Off duty/Relieved**
WC	LOPEZ	DANIEL	LT	[redacted]	TTCF	
SGT	CHAFFIN	WILLIAM	SGT.		TTCF	
IP	DEL RIO	ANTONIO	DEP.		TTCF	
IP	[redacted]		DEP.		TTCF	

Status	**Last Name**	**First Name**	**Rank**	**Emp/Bkg #**	**UOA**	**Off duty/Relieved**

OTHER INVOLVED PERSONS	Status: S = Suspect; SJ = Subject; I/M = Inmate					
Status	**Last Name**	**First Name**	**Sex**	**Race**	**Date of Birth**	**Booking Number**
I/M	VALDIVIA	RAMIRO	M	H	06/06/81	8886221

PURSUIT

	Vehicle		**Foot**		**Both**

TYPE OF SHOOTING

	Accidental Discharge		**Shots fired at Animals**	**Type of Animal**		**Wounded or Killed**	
# of Shots Fired by each Deputy		**Firearm(s) Used by each Dep.**					

SUSPECT INJURIES (check all that apply)

X	**Abrasions, Bruises, Cuts**		**Damaged Eye**		**Deceased**		**Gunshot Wound**
	P/Internal Injury		**P/Internal Head Injury**		**Skeletal Fracture**		
	Sutures Required		**None Observed**		**Other**		

If treated, Hospital name	TTCF CLINIC	
Approved for Booking *(Y or N)*		**If not, contact the on-call IAB lieutenant**

SYNOPSIS

Deputy Del Rio and Deputy [redacted] were conducting a cell search. The search was completed and the first inmate [redacted]) was returned to cell 8, uncuffed and ordered to get onto his upper bunk. The inmate complied. As the second inmate (Valdivia) was uncuffed and told to go to his lower bunk as soon as one hand was uncuffed he quickly turned and punched Deputy Del Rio in his upper left chest area. I/M Valdevia tried to swing again when Deputy Del Rio pushed the inmate away but I/M Valdivia came at him again trying to punch Deputy Del Rio. Deputy Del Rio fought back striking the inmate with his closed right fist. Then Deputy Del Rio grabbed I/M Valdivia in a head lock trying to contain him but they both fell to the floor. The I/M was now on top of Deputy Del Rio and I/M Valdivia's head was just below Deputy Del Rio's waist line. Deputy Del Rio could tell that the inmate was trying to bite him in his groin area. Fearing serious injury to himself Deputy Del Rio grabbed his flash light and attempted to strike the inmate on his shoulder to cause him enough pain to stop bitting. The flashlight strike hit the inmate on the back and side area of his head but the inmate continued to try and bite him. Deputy Del Rio struck again aiming for the shoulder blade but again struck the inmate on the back of the head. At the same time Sr. Deputy [redacted] had entered the room and observed what was going on and struck the inmate in his lower back and side area in an attempt to get the inmate to stop fighting. Deputy [redacted] struck the inmate 4 times. The inmate stopped struggling at this time and Deputy [redacted] was able to handcuff I/M Valdivia. Deputy [redacted] and Deputy [redacted] then lifted the inmate off Deputy Del Rio and escorted him out of the cell. The inmate was taken to the tower two clinic where he refused any medical attention. The medical staff then ordered that the inmate be taken to LCMC for examination. I/M Valdivia was transported to LCMC at 0045 HRS.